Preserve

App F IX-4

1930-31 (ml)

File No. 216-30

Serial Nos. 545

Previous References

ml 91-27 & 1605 etc

ml 151-26 & 1607

PRESERVED

Later References

ml 28-31 — 1

Mys 61 31-1, 2 & 4 (A Coll=)

" 62 31 1-2 Do

" 63 31-1 3 Do

General and Revenue Secretariat.

Serial Nos Two only

Part B for May 1931

SUBJECT

Draft minor Municipalities Bill and Bill further to amend the Mysore Municipal Regulation

---

8) ml 9250-61 & 1615/31 To the members of the committee. Passes orders on the report of the committee, appointed to consider the Bills.

Note on the Draft Minor Municipalities Bill.

MR 2nd Q 1-27 Secs 224, 218
May S

This Bill received the assent of His Highness on
and the Representative Assembly has not been consulted regarding the general principles of this Bill pending the completion of the deliberations of the Special Committee on the Bill further to amend the existing Municipal Regulation.

2. The deliberations of the Committee with regard to the 2nd Bill were completed on the 10th February 1931 and the draft report has been submitted separately for consideration and approval of the Chairman. At the meeting of the Committee on the 10th February 1931 it was decided that the Draft Minor Municipalities Bill be revised so as to conform as far as possible to the provisions made in the Major Municipalities Bill. The Minor Municipalities Bill requires revision in respect of the important matters noted in the following paragraphs.-

Clause 2:- Sub-clauses (2) & (3) of this clause may be omitted and incorporated in the Major Municipalities Bill.

Clause 3 -- The words "Amildar" and "Taluk" may be defined.

Clause 6 D(1)(c).- Sentence to transportation may be made a disqualification for being a Municipal Councillor.

Clause 6.D.(2)(3) Absence during four successive months from meetings instead of from 3 successive ordinary meetings may be made

a disability to continue as a Municipal Councillor.

Clause 11.- The provisions of Section 18 of the Municipal Regulation may be inserted as sub-clause (2) of this clause.

Clause 12.- The provision regarding election and appointment of Presidents may be made as in the existing Regulation. ~~As the Municipalities Bill~~ as modified by the Committee the appointment of ~~Village~~ Vice President may be made discretionary with the Municipal Council and when the Municipal Council elects to have a Vice-President he may be permitted to be elected by the Municipal Council except in special cases when he may be nominated as at present. The term of the elected President and Vice President may be left to the discretion of Municipal Council as already approved ~~in the draft Bill~~ by the Committee in respect of Municipalities and in other cases it may be co-terminus with the term of office as Municipal Councillors.

Provision may be made for the automatic vacation of office by Presidents and Vice Presidents.-

(a) at once on a resolution being passed to that effect by two-thirds of the whole number of Councillors.

(b) on a second resolution being passed to that effect after an interval of not less than one month, if a majority of two-thirds cannot be secured.

Clause 13.- In case of failure to call a special meeting, provision may be made for the Vice President or at least one-third of the Councillors calling for a special meeting. It is unnecessary to insist on a vote being given by the Presiding Officer in order that he may exercise a casting vote. as the comments are not in favour of the suggestion in Sec 29(2)(h) of the Provision may be made as in Section 29 (1) (h) of the District Boards Regulation for vacation of the Chair by the President while discussing matters in which the presiding authority is financially interested.

After clause 13 a new clause may be inserted for providing for the constitution of Committees. The provision in clause 6 D regarding committees may be omitted.

Clause 14.- Provision regarding interpretation of President may be inserted as in the existing regulation.

Clause 17.- A sub-section may be inserted as in the Major Municipalities Bill empowering Government to exempt Municipal Councils from the obligation to perform any obligatory duty or convert any such duty into a discretionary duty.

Clause 20.- A Sub-clause may be inserted taking power to Govt to define defining the functions and powers of the Vice President as in the Major Municipalities Bill.

Clause 48:- Audit of Municipal Accounts by Government Auditor may be made compulsory as in

4272
P.

~~Clauses 20.~~

the Major Municipalities Bill.

Clauses 49 & 50.- These clauses may be re-cast so as to ~~amend~~ amend with the provisions in Sections 170.A to 170 F introduced by the Major Municipalities Bill.

Clause 51.- The word "Sale" may be omitted in sub-clause (1)(a)(i) of this clause as the committee are not in favour of levying octroi on articles brought for sale. Provision regarding Education cess may be omitted as the levy has to be made under Elementary Education Regulation.

Clause 53 - Provision may be made for composition of octroi as in the Major Municipalities Bill.

Clause 58.- A ~~sub~~ new clause may be inserted ~~so~~ as to incorporate section 73 of the existing Regulation regarding suspension or prohibiting levy of objectionable taxes

The above clauses and a few other corrections which are necessary to make the ~~text~~ wording more clear or more precise are incoporated in the copy of the Bill herewith submitted for consideration and orders. After orders are passed the clauses will be consequently renumbered

7/3/31

Secy. to the Rev. Member

7 3 31

Protection Br. for remarks).

nbd 9/3

Serial No

19 MAR 1931 No 5977

The amendments are consequential and have been necessitated by the proposal to have two separate Regulations, one for the Mayor Municipalities and the other for the minor municipalities. They are in order

Rubd
18/3/31 (Dne 17/3 L&SgBr)

3rd Member) 18.3.31

I do not understand the ... Please bring up in person. Is there any order about all these being rubd. Dont attend reference Mr Levy

A
16/3/31

I have now gone through the changes proposed and they are in conformity with the views of the Committee. The matter may be considered in Council along with Municipal Bill the hearing of which is fixed for the 23rd instant

Dewan 23/4/31

DEWAN 5884 ICE 21 APR 1931

Memo was sent to Amba with Major Mundy's Note 18/4/31

NOTE—Contn Sheet

CHIEF SECY 23 APR 1931

WD 02553—50,000—GPB—8 7 30

21-4-31

23/4/31 Leg Secy 22/4/31

File No of 19[illegible]

General and Revenue Secretariat

L 96 / 1 App F. III—1

General and Revenue Secretariat | File No | of 193

Serial No

OFFICE OF THE COUNCIL
16 APR. 1931
No 6786

Letter No. L. 8468, dated 14th April 1931, Secretary, Municipal Regulation Amendment Committee submits the report of the Committee with a copy of the Bill as finally approved by the Committee.

The Committee have submitted a Bill further to amend the Mysore Municipal Regulation which is proposed to be made applicable to City and Town Municipalities only.

2. The Bill has to be considered in Council and orders of His Highness have to be obtain for placing the Bill before the ensuing Session of the Representative Assembly, meeting.

3. The Committee recommend that it is desirable to prescribe a uniform procedure in regard to levy of tolls by enacting a separate Tolls Regulation. Further action may be taken in the matter after the recommendations of the Committee, recently formed to consider the question of the abolition of tolls etc., on Motor Vehicles, are received.

4. The Committee wish to bring to the special notice of Government the valuable services rendered by Mr. T.K. Someswara Iyer, Secretary to the Committee and Mr. D. Sitaramaiah, Superintendent, L.S.G. Branch in getting through the work of the Committee and that Mr. Sitaramaiah's proficiency in Municipal matters has been of great help to the Committee.

Mr. Sec'y 15-4-31

15-4-31

III Branch. 16/4/31

49-1

General and Revenue Secretariat | File No 2 of 193

Serial No

( ) Ther magh disposed of by Cier

DEWAN'S OFFICE 5846 17 APR. 1931

Dewan — RB 16/4/31

(9) pm 17-4-31

(10) Ch. Sec. with Compts — RB 20/4/31

NOTE—Contn Sheet

WD 02553—50,000—GPB—8 7 30

(For Disposal ~~at a Meeting~~) by Circulation)

No C 408
of 1930-31

GENERAL AND REVENUE SECRETARIAT

Council Matter

SUBJECT

(clause of the schedule)

(1) Draft Bill to further amend the Mysore Municipal Regulation.

(2) Draft Minor Municipalities Bill.

CIRCULATED TO THE MEMBERS OF COUNCIL

By Order,

Chief Secretary to Government

24th April - - 19 31.

1314/25/4 First Member of Council 25/4/31

Second Member of Council (on leave)

7448/25/4 Third Member of Council. 25/4/31

For favour of a final note,

D.S.N. Sahib.

7525/27/4 Third Member.

27/4/31

D2 Subject F11 Original Member

General and Revenue
Secretariat

C408

Bill further to amend the Mysore Municipal Regulation and draft Minor Municipalities Bill

( )

31 All urgent or confidential files returned with His Highness orders may in the absence of instructions or indications to the contrary be ordinarily circulated to the Members of Council for perusal after the issue of orders

33 The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members

34 In all other cases the files will first be circulated to the members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure)

Chief Secretary to Government

Through the Secretary to Government,

Genl. Department

RS 7/5/31

1630/9/5

FIRST MEMBER OF COUNCIL 9/5/31

9883/9/5

SECOND MEMBER OF COUNCIL 10/5/31

8047/7/5

THIRD MEMBER OF COUNCIL

NOTE —Contn sheet

(2.sq

Final Note by the Third Member of Council.

Subject:—

Draft Minor Municipalities and the Bill further to amend the Mysore Municipal Regulation.

As there are serious defects in the existing Municipal Laws, a Committee was appointed to examine the subject and submit proposals.

The Committee have now submitted their final report together with a copy of the Bill further to amend the Municipal Regulation. They also suggest that the Draft Minor Municipalities Bill already approved may be revised so as to conform as far as possible to the provisions made in the Bill now submitted.

The Draft Minor Municipalities Bill has been suitably revised.

The most important changes introduced by the Bill further to amend the Mysore Municipal Regulation have been mentioned in the statement of objects and reasons appended to the Draft Bill as finally approved.

The Draft Bills have been approved by the Dewan and the Members of Council.

Gracious sanction is now solicited to place the Bills before the Representative Assembly.

MEMBER OF COUNCIL.

Bangalore,
28th April 1931.

Submitted to His Highness.

I submit herewith a Final Note by the third

Member of Council regarding the draft Minor Municipalities Bill and the Bill further to amend the Mysore Municipal Regulation.

for His Highness' gracious approval

Mirza M. Ismail

Dewan

29-4-37

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Bill further to amend the Mysore Municipal Regulation and draft Minor Municipalities Bill.

543

Order.

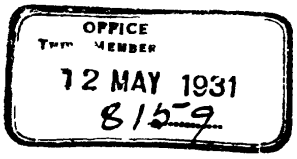
~~KRW~~
4/5/31

C Secy
MD
6-5-31

ms
6/5

General and Revenue Secretariat | File No 21 b of 1930

Serial No



General Principles of Bills are submitted for being placed before the ensuing Session of the R. A. It is not possible to supply the members with copies of the Bill.

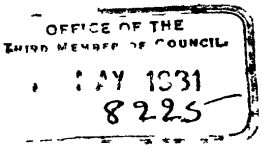
(3rd Member) 12.5.31

12/5/31

12/5/31

12/5/31

2 copies of the general principles have been sent to the R. A. Secretariat. Please put up Draft G.O for approval or other orders



(for RL)

Draft G.O attached

12/5/31

(3rd Member) 13.5.31

14/5/31

14/5/31

Issue

14.5.31

NOTE—Contn Sheet

WD 02553—50,000—GPB—8-7 30

App F III—2]

General and Revenue Secretariat | Ml File No 216 of 1930

Serial No 8

To

Mr B Nagappa, Bar at law,
" N. Madhava Rao, B A, B L,
Chief Secy to Government,
" P. Mahadevayya, B A, B L,
Legal Remembrancer & Secy to
Govt Law Department
" K V. Ananlaraman, B A,
Deputy Commissioner
C. Ranganatha Rao Saheb, B A B
Dirctr Of Ind. & Com
Khan Bahadur Mr Md Abbas
Khan
Rao Bahadur Mr N S Nanjundha
" B Narasinga Rao,
" L Vema Reddi,
" T Srinivasachar,
Rao Saheb Mr A Thangavelu Mooo
" T K Someswara Iyer, B A, B L,

No L 9250-61 dated 16. 5. 1931

Directs that the general principles of the ~~Board~~ Draft Minor Municipalities Bill and the Bill for the to amend the Municipal Regulation be placed before the Representative Assembly and action taken to introduce the Bills into the Legislative Council and Communicate, the thanks of Govt to the Chairman and Members of the Committee

NOTE—Contn Sheet

WD 02553—50,000—GPB—8-7 30

File No

General and Revenue Secretariat,

Bangalore, dated the 14th April 1931.

No L 8468
M-2.6-30-5

GEN & REV. SECTT.
15 APR 19..
L. & G. BRANCH
L 4967

From

V. Subramanya Sastry, Esq., B.A.,
Secretary to the Municipal Regulation
Amendment Committee, Bangalore.

To

R. Ranga Rao, Esq., B.A., B.L.,
General Secretary to Government of Mysore.

Flag A Linked file
Mr Someswara Iyer's

Sir,

In continuation of ~~my~~ letter No. L. 8585/Ml. 91-27-22, dated 28th May 1928, forwarding the first report of the - - Committee, I am directed to forward herewith the second and final report together with a copy of a Bill further to amend the Mysore Municipal Regulation as finally approved by the Committee.

I have the honor to be,
Sir,
Your most obedient servant,

V Subramanyasastry

Secretary,
Municipal Regulation Amendment
Committee.

We the members of the Committee appointed to consider the Draft Minor Municipalities Bill and the Bill further to amend the Mysore Municipal Regulation, 1906, beg to submit the following -- final report in continuation of our first Report.

2. The Committee met for seven days on the 1st and 29 September 1928, 6th October 1928, 9th February 1929, 11th January -- 1930, 15th February 1930 and 10th February 1931 for the consideration of the Bill further to amend the Mysore Municipal Regulation. The meetings were presided over by Rajamantrapravina Mr. C. S. Balasundaram Iyer on all the days except the last day when Rajakaryapravina Mr. P.G. D'Souza, presided in his absence ~~of~~ on leave Messrs. C. Ranganatha Rao Saheb and P. Mahadevayya were appointed as additional members of the Committee in Government Order No. L. 5033-44/Ml. 91-27-56, dated 29th January 1929. The Committee went into the provisions of the Bill further to amend the Municipal Regulation very carefully clause by clause and also into the several questions referred to them from time to time including the important question of introduction of a provision for regulating trade in cotton and other commodities raised by Mr. C. Ranganatha Rao Sahib, Director of Industries and Commerce in Mysore. As regards this last matter the Committee are of opinion that it is inexpedient to make any provision for this in the Municipal Regulation and it is desirable to have a separate Regulation for controlling Cotton markets on the basis of Bombay Act XVII of 1927. The Director of Industries and Commerce who was present during the discussion of the subject agreed to take needful action -- accordingly.

3. A copy of the proceedings of the Committee recorded from time to time and setting forth in detail the several changes discussed and incorporated in the Bill together with a copy of the Bill as finally approved by ~~xxxxxxx~~ them is enclosed.

4. The following important principles which are embodied in the Bill have the unanimous support of the Committee.

(1) Raising the elected element of Municipal Councils to ~~xx~~ 2/3rds of the total strength. (Clause 4)

(2) General revision of the Municipal Election Roll to be

made once in three years instead of annually. (Clause 6)

(3) Allowing appeals on points of law to the High Court from the order of the District Judge in election disputes. (Cluase 13)

(4) Leaving the appointment of Vice President to the discretion of the Municipal Council and limiting the term of the Presidents and Vice Presidents when elected by the Municipal Councils to one year, and providing for the automatic vacation of office by Presidents and Vice-Presidents when resolutions to that effect are passed by the Municipal Council. (Cluase 15)

(5) In consideration of the appointment of Chief Officers -- generally for all Municipalities, divesting the President of their power to generally exercise the executive functions of the Municipal Council and in order to meet the requirements of Municipalities when there is neither a Chief Officer nor a Municipal Commissioner empowering Presidents to exercise all the powers of a Municipal Commissioner in City Municipalities and of a Chief Offic in other Municipalities. (Cluase 16)

(6) Essential servants of Municipal Councils such as sweepers etc., to be required to give one month's notice before resigning their office. (Cluase 29)

(7) Payment of compassionate gratuity to surviving relations of Municipal employees. (Cluase 31(1)

(8) Taking power to Government to frame rules in regard to levy of taxes and other matters incidental thereto to secure uniformity in all rules. (Cluase 31(3)

(9) Numbering and registration of all vehicles liable to Municipal taxation and increase in the rates of taxes on motor vehicles. (Cluase 33)

(10) Amplification of the discretionary duties of Municipal -- Councils by including the provision of transport facilities, supply of electricity for lighting and power, promotion of Societies for providing housing accommodation and other matters. (Cluase 37)

(11) Levy of terminal tax when Octroi is not levied. (Cluase 38)

(12) Appointment of an Assessor for assessing taxes imposed in the form of tax on buildings and lands. (Cluase 40)

(13) Composition of Octroi and toll. (Cluase 49)

(14) Attachment of immoveable property of defaulters for recovery of Municipal revenue. (Cluase 51)

(15) Occupation of new buildings to be made after notice to Municipal Council. (Cluase 61)

(16) Surcharge of persons responsible by Deputy Commissioners on the report of the Auditor and provision of appeals from orders of Deputy Commissioners. (Cluase 84)

(17) Empowering Deputy Commissioners to inspect City Municipal Offices when authorised by Government (Cluases 87 and 93)

(18) Taking power to Government to annul or amend any proceeding or resolution of Municipal Councils or their executive which is not in conformity with law or orders in force.

(19) Appointment of Chief Officer to be compulsory unless exempted by Government. (Cluase 96)

(20) Amplification of powers of Chief Officers and Municipal Commissioners. (Cluases 99 and 105)

(21) Raising the maximum rates of taxes on motor vehicles. (Cluase 109)

(22) Revision of maximum rates of toll so as to accord with those in force on State Roads and dispensing with -- tolls on animals. (Cluase 110)

In this connection the Committee consider it necessary to prescribe a uniform procedure for the levy of tolls and they -- recommend that a Tolls Regulation be enacted to regulate the levy of tolls by Government and local bodies.

5. The important changes introduced are also embodied in the statement of objects and reasons to the Bill.

6. The Committee recommend that the Draft Minor Municipalities Bill already submitted be revised so as to conform as far as possible to the provisions made in the present Bill in all - -

essential matters.

7. The Committee have to specially bring to the notice of -- Government that of the five urgent matters on which action was -- recommended in para 8 of their previous report, the Regulation has been amended only in respect of the removal of sex disqualification and that necessary provisions in regard to the remaining matters have been incorporated in the present Bill.

8. In order to facilitate reference, the several sections of the Regulation which would be amended by the Bill are shown against the clauses concerned with the omissions and additions recommended by the Committee clearly noted therein.

9. The Committee wish to bring to the special notice of Government the valuable services rendered by Mr. T.K. Someswara Iyer, Secretary to the Committee and Mr. D. Sitaramaiya, Superintendent of the Local Self Government Branch in connection with the Bill and they take this opportunity to place on record their appreciation of the work rendered by these gentlemen in getting through the work of the Committee. Mr. Sitaramaiya's proficiency in the subject due to his long experience of Municipal matters and the interest he has taken in the work has been of great help to the Committee.

Sd/- N. Madhava Rao.
P. Mahadevayya.
C. Ranganatha Rao Saheb.
K. V. Anantaraman.
Rao Sahib A. Thangavelu Mudaliar.
T. Srinivasachar.
B. Nagappa.
B. Narasinga Rao.
L. Vema Reddy.
Khan Bahadur Mohamed Abbas Khan.
Rao Bahadur N.S. Nanjundiah.

Sd- Peter George D'Souza,
Chairman.

14/4

Proceedings of the Meeting of the Special Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation held on the 1st and 29th September 1928.

1

The President and Messrs N Madhava Rao, B Nagappa, K V Anantaraman and T Srinivasachar were present on both the days Messrs B Narasinga Rao and N S Nanjundiah were present on the 1st September only and Messrs Thangavelu Mudaliar and L Vema Reddi were present only on the 29th September 1928 Mr. Mahomed Abbas Khan did not attend the meeting on both the days Apologies were received from Messrs Thangavelu Mudaliar and Mahomed Abbas Khan for absence on the 1st September and from Mr Nanjundiah for absence on the 29th September

The Committee first scrutinised the statement of objects and reasons of the Bill further to amend the Mysore Municipal Regulation and they considered it unnecessary to provide for the following matters —

(1) Removing the power of Government to appoint Government servants as *ex-officio* Presidents

(2) Empowering the President to appoint the Vice-President (The Committee considered that the Vice-President should be elected by the Municipal Council and that the appointment of a Vice-President may be left to the discretion of the Municipal Council)

(3) Giving power to the Municipal Council to fix the term of the President or Vice-President (The Committee considered that in view of the appointment of a Chief officer to attend to the Executive duties in Town Municipalities and of a whole time President or Municipal Commissioner for City Municipalities the term of the elected President and Vice-President, if any, may be restricted to one year, and that except when the Municipal Council is reconstituted the elected President and Vice-President may hold office till a new President or Vice-President, as the case my be, is elected

Note —At the second meeting when dealing with clause 17 (7) of the draft bill the Committee reconsidered this point and decided to retain the existing practice

(4) Taking power to Government to make additions to the obligatory functions of Municipal Councils

(5) Omission of the provision in the Regulation prescribing the maximum rates of taxes

(6) Insertion of a provision to levy octroi on acticles imported into the Municipality for purposes of sale

(7) Empowering Municipal Councils to revoke licenses already granted

(8) Provision requiring permission of the Municipal Council before buildings newly constructed are occupied

2 The following points were reserved for further consideration —

(1) Municipal Councillors being made responsible not only for mis application but also for loss or waste of Municipal Money or property caused by their negligence and misconduct

(2) Empowering Municipal Councils to recover arrears by attachment of immoveable properties of defaulters

(3) Empowering Municipal Councils to prohibit the use of a building or room which is unfit for human habitation and the cultivation of certain crops and for dealing with collections of water which are likely to be breeding places of mosquitoes and for regulating the construction of new wells

3 With the modifications noted above and subject to the remarks and recommendations noted below, the other points specified in the statement of objects and reasons were approved by the Committee —

(a) Revision of the Municipal Election Roll may be closed for a specified time immediately preceding the date fixed for election

(b) Provision of facilities for antirabic treatment may be included among the discretionary duties of Municipal councils

(c) A recommendation may be made to Government to enact a separate Tolls Act for the State

(d) Surcharge should be made by the Government on the report of the auditor

(e) The inspection of City Municipal Offices may be made either by the Government or an Officer appointed by the Government

4 The clauses of the Bill were then gone into in detail and clauses Nos 1 to 28 were approved with the following modifications and observations —

Cause 2 (3) —This was considered unnecessary and omitted

Clause 5 (2) —The omission of Sub clauses (i) and (v) of the present clause (c) of Section 11 was not approved The omission of the words ' fixing the date after which no application for enrolment in any such list under preparation or revision shall be received " in 11 (c) (iii) was not also approved

Clause 6 (2) —This was omitted as unnecessary

Clause 6 (3) —In place of this the committee decided to add the following after clause (c) in Section 12 of the Regulation "(d) Every person who during the preceding official year occupied as owner or tenant a house or building or part of a house or building separately occupied as a dwelling, or for the purpose of any trade, business or profession, of which the annual letting value or the capital value was not less than such minimum as shall for the time being be fixed for that Municipality by the Government "

Clause 7 —The following proviso was added at the end of the clause —

" (d) No change in the election roll shall be made under provisos (b) and (c) within one month preceding the date fixed for an election

Clause 10 (1) —In clause (a) (ii) of Section 15 as in the draft Bill the words "as amended from time to time " were added after the words " Code of Criminal Procedure, 1904 "

Clause 10 (2) —In proviso (c) (ii) inserted by the sub clause, the words "otherwise than as a Managing Director or Agent " were added after the words " Joint stock Company "

Clause 10 (4) —In Clause (b) of Sub Section 2 of Section 15 as proposed in the Bill, for the words " acts as a Councillor in any matter" the words " votes or takes part as a Councillor in the discussion of any matter " were substituted

Clause 15 (1) —This was retained pending the passing of the Bill before the Legislative Council

Clause 16 —The question as to whether a candidate who was disqualified to be a candidate for corrupt practices should be disqualified to be a voter, was reserved for further consideration

Clause 17 - Sub Clauses (2) and (3) These were omitted In clause 17 Sub Clause (4) in place of this Sub clause the Committee adopted the substitution of the words " During a vacancy in the office of the President of a Municipal Council and when there is no Vice-President to take his place," for the words " during the period, if any, intervening between the expiry of the term of a President or reconstitution of a Municipal Council and the election or nomination as the case may be of another President " in Sub-Section (5) of Section 23 of the Regulation

Clause 17, *Sub-Clause* (6) —This was omitted

Clause 17, *Sub-Clause* 7 —For this, the Committee substituted the following "At the end of Sub-Section (9) of the same section the following shall be added" —

> " Provided that when he is elected by the Municipal Council, the term of his office shall be for a period of one year and he shall be eligible for re-election "

Clause 17, *Sub-Clause* (8) (a) —The words "other than an ex-officio President " were added after the word " Vice-President "

Clause 17, *Sub-Clause* (8) (b) —This was omitted

Clause 17, *Sub-Clause* (9) —This was omitted

Clause 20, *Sub-Clause* (1) —This was omitted as unnecessary

Clause 20 *Sub-Clause* (3) —For the words " shall be served upon " the words " shall be given to " were substituted

Clause 20, *Sub-Clause* (4) —This was omitted as unnecessary

Clause 20, *Sub-Clause* (5) —The words " less than 15 or " were added after the words " after waiting for not " (The committee considered that it was necessary to prescribe the minimum period for which the members should wait before the meeting is adjourned, in addition to the maximum period)

Clause 25 —This was considered unnecessary and omitted

Proceedings of the meeting of the Special Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation held on the 6th October 1928.

All the members were present with the exception of Messrs Mahomed Abbas Khan, Thangavelu Mudaliar, N S Nanjundiah and N Madhava Rao Apologies for absence were received from the last three absentees

The Committee considered and approved clauses 29 to 72 of the Bill with the observations and modifications noted below

Clause 29 —After the words "notwithstanding anything" the word "contained" was inserted

Clause 30 —For the word "and" in "after giving the President and Councillor" the word "or" was substituted

Clause 32 —For the word "scavenger" the words "Sweeper or scavenger" was substituted

Clause 34 (1) —This was omitted

Clause 36 (1) (4) & (5) —These were omitted

Clause 36 (2) —For the words "At the end of clause (a) of the same section," the Committee substituted the words "In clause (a) of sub-section (1) of Section 48" after the words "cleanly conduct of business therein"

Clause 37 —This was omitted

Clause 38 (2) (c) —For the word "may" the word "shall" was substituted

Clause 40 —This was omitted

Clause 41 —Sub-Section (2) of Section 55 A proposed to be added was omitted

Clause 42 —Sub-Clause (3) was numbered as (4), the following sub clause being inserted after sub-clause (2) —

After clause (g) of the same section the following new clause shall be inserted —

"(g g) providing facilities for anti-rabic treatment and meeting the expenses of indigent persons undergoing anti-rabic treatment within or outside the Municipal limits"

Clause 43 (1) (2) and (3) —The Committee considered it expedient to fix in the case of all taxes the maximum rates in a schedule and that separate maxima may be fixed for different Municipalities They also considered that vehicles kept outside Municipal limits should be subject to pay tolls and not tax on vehicles The Committee were not in favour of levying Octroi on animals or goods brought within Municipal limits for sale

The following was substituted for sub-clauses (1), (2) and (3) of the clause — "(1) For Section 59 up to the end of clause (xiii), the following shall be substituted —"

"59 Any Municipal Council

(*a*) After observing the preliminary procedure required by Section 60, and

(*b*) With the sanction of the Government, and subject to such modifications or conditions as, under Section 61, the Government in according such sanction deems fit, may impose, for the purposes of this Regulation, any one or more of the following taxes at rates not exceeding those prescribed in schedule , that is to say,

(i) a rate on buildings, or lands or both situated within the municipality ,

(ii) a tax on all or any vehicles, boats, or animals used for riding, draught or burden, kept within the said municipality for use,

(iii) a toll on vehicles and animals used as aforesaid, entering the said municipality, but not liable to taxation under the clause last preceding,

(iv) (1) an octroi on animals or goods, or both brought within the octroi limits for consumption or use therein, or

(2) a terminal tax on goods imported or exported from the terminal tax limits provided that a terminal tax and an octroi shall not be in force in any Municipality at the same time,

(v) a tax on dogs kept within the said Municipality,

(vi) a special sanitary cess upon private latrines, premises or compounds cleaned by municipal agency, after notice given as hereinafter required,

(vii) a general sanitary cess for the construction or maintenance, or both construction and maintenance, of public latrines, and for the removal and disposal of refuse,

(viii) a water-rate or water-rates for water supplied by the Municipal Council, which may be imposed in the form of a rate assessed on buildings and lands, or in any other form, including that of charges for such supply, fixed in such mode or modes as shall be best adapted to the varying circumstances of any class of cases or of any individual case,

(ix) a lighting tax,

(x) a tax on arts, professions, trades and callings, and on offices and appointments

(xi) a tax on shops and other places where a business or profession is carried on for purpose of profit, payable by the person or persons engaged in the business or profession

Provided that where the Municipal Council elect to levy a tax under this clause, the person or persons paying the tax shall not be called upon to pay a tax on professions, trades and callings under clause (x) in respect of the business or professions carried on in the shop or place,

(xii) an educational cess to be utilised solely for purposes of education,

(xiii) any other tax to the nature and object of which the approval of the Government shall have been obtained prior to the selection contemplated in clause (a) of Section 60"

Clause 43, sub-clause (5) —After the words "other exemptions" the words "in exceptional cases" were inserted

Clause 44 —For the words "approve rules prepared" and "approved" the words "prepare" and "prepared" were substituted

Clause 46 —For the words "conspicuous position" the words "conspicuous place" were substituted and at the end of the clause the words "shall be inserted" were added

Clause 48 —For the words "Managing Committee" the words "Municipal Council" were substituted

Clause 49 —This was omitted

Clause 50 —The Committee considered that not less than two thirds of the tax should be remitted when the property remains vacant and unproductive of rent The words "two-thirds" were substituted for the words "one-half" and the words "Municipal Council" for the words "Managing Committee"

Clause 52 —The provision as regards composition of tolls was omitted as it was included in a separate bill before the Legislative Council and necessary corrections were made in sub-clauses (3) and (4) In sub clause (2), corrections in conformity with those introduced in clause 43 were made

Clause 54 Sub-clause (7) —The words "after such attachment" were inserted at the beginning of clause (e) added to sub-section (4) of Section 83

The Committee considered that after clause 54, a new clause incorporating with suitable changes the provisions of Sections 6A, 6B, 6C, and 6D of the Code of Criminal Procedure Amendment Regulation VI of 1927, may be inserted

The following clause was therefore inserted —

" 54A After Section 83, the following new section shall be inserted —

83A (1) If any claim is preferred to, or objection made to the attachment of, any property attached under Section 83 within one month from the date of such attachment, by any person other than the defaulter, on the ground that the claimant or objector has an interest in such property, and that such interest is not liable to attachment under that section, the claim or objection shall be inquired into, and may be allowed or disallowed in whole or in part

Provided that any claim preferred or objection made within the period allowed by this sub-section may, in the event of the death of the claimant or objector, be continued by his legal representative

(2) Claims or objections under sub-section (1) may be preferred or made to the authority by whom the order of attachment is issued

(3) Every such claim or objection shall be inquired into by the authority to which it is preferred or made ,

(4) Any person whose claim or objection has been disallowed in whole or in part by an order under sub-section (1) may, within a period of three months from the date of such order, institute a suit to establish the right which he claims in respect of the property in dispute, but subject to the result of such suit, if any, the order shall be conclusive "

Clause 55 in sub-clause (4) —For the word " removed " the word " withdrawn " was substituted The Committee considered that regarding possession of immovable property sold for arrears of municipal dues, a provision similar to Section 187A of the Land Revenue Code with suitable changes may be inserted as sub-section (4) of Section 84 The following was newly inserted as sub-clause (6) of clause 55 —

" (6)" The following sub section shall be added to Section 84 —

" (4) Where any lawful purchaser of immovable property sold under this section is resisted or obstructed by any person in obtaining possession of the property, he may make an application to the Civil Court having jurisdiction over the property, complaining of such resistance or obstruction Such Court shall proceed to investigate the matter as if the property were purchased by the applicant at a sale held by that Court "

Clause 58, Sub-clause (1) —The Committee considered it sufficient if revision is allowed in respect of decisions of Magistrates or Bench of Magistrates The portion of the sub clause beginning from " Every entry " to the end of " as hereintofore provided and " was omitted The rest of sub-clause (1) and sub-clause (2) were added on to Section 86 as sub-sections (2) and (3) thereof, the present Section 86 being treated as sub-section (1) thereof

Clause 62 sub-clauses (2) and (6) —These were omitted

Clause 63 —This was reserved for further consideration pending the perusal of the Proceedings of the Bombay Legislative Council in connection with the passing of Section 124 of the Bombay City Municipalities Act, 1923

Clause 67 —This was omitted as unnecessary

Clause 71 sub-clause (2) —The Committee considered that permission of the Municipal Council need not be insisted for the construction of new wells, cisterns and fountains

Proceedings of the Meeting of the Special Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation, 1906, held in the Second Member's Chambers on 9th February 1929.

PRESENT

1 Rajamantrapravina C S Balasundaram Iyer, B A , (*Chairman*)
2 B Narasinga Rao, Esq
3 L Vema Reddy, Esq
4 Khan Bahadur Mahomed Abbas Khan
5 N Madhava Rao, Esq , B A , B L
6 P Mahadevayya, Esq , B A , B L
7 C Ranganatha Rao Saheb, B A , B L
8 T Srinivasachar, Esq

ABSENT

1 B. Nagappa, Esq , Bar-at-law
2 Rao Bahadur N S Nanjundiah

Rao Sahib A Thangavelu Mudaliar had written a letter expressing inability to attend as he was in camp undergoing military training

Mr C Ranganatha Rao Sahib's proposal to amend Section 31 of the Municipal Regulation so as to have an enabling provision to permit of at least two thirds of the members of the Market Committee being outsiders and only one-third being Municipal Councillors, was taken up for consideration His scheme aimed at framing bye-laws for regulating trade in cotton and other commodities, on the lines of the provision in the Municipal Regulation in the Central Provinces

As the members wanted time to study the question, it was resolved that Mr Ranganatha Rao Sahib s Note on the subject, be circulated among the members and the question brought up for discussion at the next meeting of the Committee

The Committee considered thereafter the remaining clauses of the Bill *viz* , 73 to 109 and approved of the same with the following observations and modifications —

Clause 74 —This clause which substitutes a new section to Section 139 was adopted, omitting proviso (*b*) to sub-section (1) thereof as this would be inconsistent with the provision relating to licensing of hotels and eating houses contained in sub-section (1)

Clause 75 —It was resolved to omit the proviso to the sub-section, as taking security in such cases is only a matter of procedure and it is the look out of the Municipal Council to see to the adequate safeguarding of the revenues due to them and this need not specifically be incorporated into the body of the Regulation Such a provision made in other places in the Regulation, may also be omitted, *e g* Section 70 (3)

Clause 76 —In addition to the President, Vice-President, Councillor or other officer authorised by the Municipal Council, it was considered necessary that the Commissioner, Chief Officer and Health Officer should have power to inspect false weights and measures Under the existing provision, the Chief Officer and Health Officer can only authorise somebody else to exercise this power but they have themselves no such power unless they are authorised by the Municipal Council

As regards the Commissioner it was decided that a reference to Section 143 may be incorporated in Section 186 G in its proper place

Clause 79 —Sub-clause (1) was approved as it involved only a change in phraseology

Sub-clause (2) An amendment of this was considered necessary in terms of Section 15, schedule II of the Civil Procedure Code and sub-section (4) was accordingly amended as follows —

"(4) In any case where the compensation is claimed in respect of land and the Panchayet has given a decision, either party, if dissatisfied with the decision—

(*a*) on the ground of corruption or misconduct of the Panchayet, or

(*b*) on the ground of either party having been guilty of fraudulent concealment of any matter which he ought to have disclosed, or of wilfully misleading or deceiving the Panchayet, or

(*c*) on the ground of the award having been made after the issue of an order by the Court superseding the arbitration and proceeding with the suit or after the expiration of the period allowed by the Court, or being otherwise invalid,

may, within a month of the date thereof, apply to the District Court, and the matter shall be determined by the District Court in accordance with the provisions of sub-section (3) "

Clause 83 —In this, Section 167 is substituted by a new section which contains four clauses therein Clause (3) of this, is new and provides for an injunction suit and in clause (4) acts *bonafide* and lawfully done by a Municipal Council, President or his servants are made non-actionable The principles were accepted A recasting of sub-clause (4) was considered necessary as under —

"(4) No Municipal Council, President, officer or servant thereof or person acting under the direction of any such Municipal Council, President, officer or servant under this Regulation or the rules thereunder, shall be liable in respect of anything lawfully and in good faith and with due care and attention, done under this Regulation or any rule or bye-law made thereunder "

Clause 86 —For the word "summons" in sub clause (*a*) of Section 170 A, the word "requisition" was substituted and the following was inserted as in Section 122 Calcutta Municipal Act, after clause (2) of Section 170 (C) newly added —

"(3) In case there is a difference of opinion between the Municipal Council and the Auditor, the Municipal Council shall report the action which it proposes to take to Government who may pass such orders as they deem fit "

170 E —Approved with the change that the time allowed for application to the Court to set aside the surcharge, etc, be increased from 14 days to one month

170 F —Here also the time allowed was increased to one month

Clause 92 —The new Section 175 B (1) was revised as follows —

"175 B —(1) Such public works *which in the opinion of Government, require* a degree of professional skill which may not be at the disposal of the Municipal Council shall be carried out by the Department concerned of the Government, unless specially ordered otherwise by the Government "

Clause 99 —The wording of the section to be recast as hereunder —

"182 A —The Chief Officer shall, subject to the general control of the President,

(*a*) watch over the financial and executive administration of the Municipal Council,

(*b*) exercise supervision and control over the acts, and proceedings of all officers and servants of the Municipal Council and in matters concerning the accounts and records of the Municipal Council, and subject to the rules for the time being in force dispose of all questions relating to the service of the officers and servants and their pay, privilege leave and allowances,

(*c*) take prompt steps to remove any irregularity pointed out by the auditors,

(*d*) and (*e*) No change

These are powers to be exercised properly by the President under Section 24 ınd ıt ıs considered tnat all these powers should be exercised by the Chief Officer ınly, subject to the control of the President

Clause 102.—Under sub-section 185 C (1), add the word 'public' before the vord 'notice' ın the seventh line and delete the words 'by advertisement ın a local ıewspaper' occurrıng after the word 'notice' ın the same lıne, as there are no ıewspapers ın the several Districts

Clause 106 —As the Municipal Councils will be gıven power to ımpose the 'ates ın the schedules referred to not exceedıng the maxımum, the schedules are ıecessary The clause will therefore be omitted The maxımum rates will be ixed under each schedule for the several ıtems For motor buses, under Schedule I a maxımum rate of Rs 60 may be adopted

The ıtems of tolls should be brought ın lıne wıth those adopted for the Provın- ıal and District Board Tolls and as regards compoundıng fee, ıt should not be ıgher than the tax ıt has to pay ıf the vehicle passes through the Toll-gate once n a day

The followıng further provısions were also considered and adopted —

(*a*) Under the Regulatıon, the Taluk Sheristedar ıs doıng all the work of :he Amildar durıng the latter's absence, but doubts are often entertaıned as to ıhether he can deal wıth the municipal functıons of the Amildar To remove any loubts ın the matter, the Committee agreed that provısıon mıght be made ın the Bill authorısıng hım to do all the work of the Amildar durıng the latter's absence oy suıtably amendıng the clause concerned

(*b*) At present, the Municipal Council has no power to grant loans for house- buildıng purposes It was agreed that thıs power should also be vested ın them, ı *e* , for grantıng loans for the constructıon of houses not only for officials but for everybody and for ımprovıng the sanıtatıon by amendıng sub-clause (*bb*) of Sectıon 56 as follows :-

"(*bb*) Constructing and maıntaınıng, where necessary, suıtable sanıtary houses for the habıtatıon of the poor and grantıng loans for the constructıon of such houses or for effectıng necessary ımprovements connected therewıth "

Mr B Narasınga Rao suggested that the whole Regulatıon should be prınted wıth the changes enclosed ın ıtalics or ın brackets Thıs was agreed as well as the prıntıng of the full proceedings of the Committee and their circulatıon to members thereafter before the next meetıng of the Committtee

W D 2796—GPB—400—22 7 29

Commission who strongly recommended the formation of properly organised Grain Markets in all important centres where Agricultural crops are brought for sale, do not favour the establishment of such markets under the Municipal Regulation They state that "if the management of regulated markets is left to the Municipal Councils or District Boards on which vested interests are often strongly represented and on which pressure can be brought to bear in various ways, it is very doubtful if the interests of all the parties directly concerned, more especially those of the grower, will be adequately safeguarded' (Page 391) All the arguments adduced by the Commission against the management of such markets by a Municipal Council, namely that the interests of the growers would be neglected, that the market would be regarded merely as a source of a revenue, and that the site selected may not be most suitable, are entitled to great weight The Commission refer with approval to the recent legislation in Bombay for the better Regulation of Cotton Markets in that Presidency (Act XVII of 1927),—copy enclosed—and recommended that the Legislation for the establishment of Markets should not be restricted to cotton only but extended to other agricultural produce, namely grain and oil seeds (*Vide* Para 329 of Report)

Although it is undoubtedly desirable that Cotton and Grain Markets should be established under a new Regulation, I am of opinion that a beginning may be made in the establishment of such markets under the Municipal Regulation for two reasons The markets can be started at once, or without much loss of time, if the Municipal Regulation is utilised and a great delay that would necessarily be involved in framing a new Law, not yet enacted in any part of India, would be avoided Again it is desirable to obtain some experience of the working of such markets under the Municipal Regulation before enacting a separate Regulation for the purpose I may state that in drafting the Bye-Laws of the proposed Cotton and Grains Market, I have incorporated all the improvements introduced in the Bombay Act They relate chiefly to the interests of the growers being represented on the Market Committee and the prohibition of trade allowances not specially authorised by recognised trade practice. I beg to recommend that the amendments proposed by me in the proposed Municipal Regulation may be forwarded to the Select Committee for their consideration If there is no objection I may be appointed as Member of that Select Committee.

Before concluding this letter, I beg to invite reference to your letter No D 3497—I. & C 130-28-4, dated 20th September 1928 forwarding for my opinion copy of a letter of the Sub Division Officer, Davangere, referring to certain alleged malpractices of the cotton dealers at Davangere and Chitaldrug A good many of the points raised are authorised by the custom of the Cotton Trade I enclose copy of a letter from an important merchant of Gadag as to the custom of the trade prevailing there There are however other irregularities and malpractices which require to be brought under control This can only be done if a regulated market as proposed by me is established

I have the honour to be,
Sir,
Your most obedient servant,
C RANGANATHA RAO SAHIB,
Director

Rules for the Proposed Davangere Municipal Cotton and Grains Market

1 Notification of market

1 There shall be in the town of Davangere a public market to be called "The Davangere Municipal Cotton and Grains Market" where whole-sale dealings in cotton and grain will be conducted

Note —Perhaps it is desirable to restrict the rules to trade in Cotton in the first instance

2 Boundaries of market

2 The Boundaries of the Davangere Municipal Cotton and Grains Market shall be as follows—

North—
South—
East—
West—

3 (*a*) Trading restricted to market

3 No person shall expose cotton (or grain) for sale, or cause it to be exposed at any public place within the Davangere Municipal limits other than the Davangere Municipal Cotton and Grains Market

(*b*) Fee charged

4. Fee shall be levied in the market at such rates as the Market Committee may fix from time to time—

(i) On every cart laden with unginned cotton,
(ii) On every package of ginned cotton,
(iii) On every pressed bale

4 Collection of fees

5. The fees shall be payable as soon as the cotton is brought into the market, but unless there is reason to fear that the duty will be evaded, it shall not be recovered till the cotton is, after sale, removed from the market yard

(*b*) A receipt shall be granted to the payer in respect of every fee collected under these rates, and a register of collections shall be kept

(*c*) The fees shall be collected by paid servants of the market committee and shall not be farmed out

(*d*) Every servant employed by the Committee for the collection of fees shall wear a suitable badge of office provided by the Committee

5 The Market Committee Fund

6 All monies received by the Market Committee shall be paid into a Fund to be called the "Market Committee Fund" and all expenditure incurred by the Market Committee for the purposes of carrying out these rules shall be defrayed out of the said fund, and any surplus remaining after such expenditure has been met shall be invested as may be prescribed in the rules made in this behalf

6 The purpose for which the Market Committee Fund may be expended

7 Subject to the provisions of Clause 6, the Market Committee Fund shall be expended for the following purposes —

(i) The maintenance and improvement of the Cotton Market,
(ii) the construction and repair of buildings which are necessary for the purposes of such market and for the health, convenience and safety of the persons using it,
(iii) the pay, pensions, leave allowances, gratuities and pensions or provident Fund contributions of the Officers and servants employed by the market committee

7 Evasion of fees

8 Any person removing or attempting to remove cotton from the market yard before the fees have been paid and the receipt prepared and granted or practising any device in order to evade, or facilitate the evasion of the payment of the fee, shall be liable to a fine not exceeding Rs 50

MANAGEMENT OF MARKET

8 Cotton Market Committee
(a) Constitution

9 Subject to the general control of the Municipal Council, the Davangere Municipal Cotton and Grains Market shall be managed by a Market Committee consisting of six members of whom two will be nominated to represent the interest of growers, two by buyers using the market, and the rest will be nominated by the Market Committee

(b) Power to appoint its own President

10 Subject to the approval of the Municipal Council, the Market Committee shall appoint its own Chairman

(c) Term of office

11 The term of office of the Market Committee shall be two years commencing from 1st April

9 Market Committee—Power and duties

12 The following powers shall be exercised and the following duties performed by the Cotton and Grains Market Committee

(a) Control of Market yard

(a) To regulate and control the management of the Cotton and Grains Market yard

(b) Fees

(b) To supervise the realisation of fees for the use of the Cotton and Grains Market yard buildings and weighing machine

(c) Supervision of Broker and Weighman

(c) To supervise generally the work of Brokers, weighmen and measurers carrying on business in the market

(d) Weighments

(d) To supervise the scales and other standard weights used by the dealers in Cotton

(e) Registration of Buyers

(e) To register names of all buyers using the market and place where they will weigh their cotton and produce

Market opening and closing time

13 The Davangere Municipal Cotton and Grains market shall be kept open from sunrise to sunset and all transactions in the market will be conducted within these hours

To use authorised weights and assigned places of weighment

14 All registered buyers and sellers shall have their weighing machines and the places where they are to be set up for the purpose of weighment registered at the market committee office in a book kept for the purpose

Inspection of their weights and scales

15 Such places shall be opened between sunrise and sunset for inspection by the President any Member of the Committee or any servant of the Committee who has been duly empowered by the Committee in this behalf and the owner shall on requisition by such an officer be bound to produce immediately for examination all and every scale of weight used, kept or possessed by him or by any person or persons under his authority or control and afford all reasonable facilities to the said officer for the examination and test

Disposal of incorrect weights and scales

16 If on examination any scale is found to be untrue or any weight to be unauthorised or incorrect, a report shall be made to such Magistrate as the Deputy Commissioner may from time to time appoint for such action as the Magistrate may direct in conformity with law

Trade allowances

17 No Broker, weighman or trader in cotton or grains shall be allowed to demand or retain any unauthorised trade allowances or unpaid for sample in regard to any cotton transaction entered into the market and any person demanding, taking or retaining such allowance or unpaid for sample or in any way facilitating or conniving at the demanding, taking, retaining such trade allowance or unpaid for sample, shall be liable on conviction to a fine not exceeding Rs 50

Explanation —Unauthorised Trade allowance is any trade allowance not prescribed by a rule framed by the Municipal Market Committee in accordance with the practice of the Trade

A set of authorised weights kept by Committee

18 The Committee shall keep a set of authorised weights and weighing machine which shall be at all times available to the public for comparison with their own weights and machines

(Weights to be used should be standard weights as per the Weights and Measures Regulation)

Fee for use of these

19 Persons who may have their cotton weighed on the weighing machines maintained by the Committee shall pay a fee of six pies per cart (both loaded and empty)

Complaints

20 Complaints regarding any matter connected with the Cotton Trade must be made in writing to the President of the Cotton and Grains Market Sub-Committee and the decision of the President shall be subject to the approval of the Sub-Committee All orders of the President or the Sub-Committee shall be appealable to the Municipal Council

Standard weights to be used

21 The weights of the following description shall alone be used for the weighment of cotton in bulk in the market

Penalty—General Breach of by law

22 Any person wilfully violating any of the foregoing rules or any of the by-laws that may be framed by the Municipal Committee in furtherance of these rules for the purpose of carrying on the business of the market and for which no specific penalty has been provided in the rules shall be punishable with a fine which may extend to Rs 50

23 No person shall, in the absence of express agreement, be bound to employ a broker or a weighman in any transaction or be required to pay for a broker or weighman when none is employed

Fees for Brokers

24 (i) The following may be demanded by a broker on account of his service when employed from the person employing him or from the purchaser according to the agreement made in such a case In the absence of any special agreement, the charge shall be borne half by the seller and half by the purchaser

Fees for weighman

(ii) The following fees may be demanded by a licensed weighman on account of his services, scale of fees —

25 The price for the cotton brought into the market for sale will be decided by open bid and not by secret signs

26 All buyers and brokers shall, before the cotton and grain carts leave Davangere cotton and Grains market, submit a return of such transactions in the form to be prescribed by the Municipal Sub-Committee from time to time to the Agent of the Municipal Market Committee appointed on their behalf

27. Whenever there is any dispute between the buyer and seller in the market in respect of the quality of the cotton or grains sold or in regard to any other condition of the agreement of sale, the points in dispute will be referred for decision to a Panchayet consisting of three members, one of whom shall be nominated by the buyer, another by the seller and the third who shall be a member of the Market Committee and shall be Chairman of the Panchayet selected jointly by the seller and buyer. If the parties fail to agree on a Chairman, the Chairman of the Market Committee shall select him The decision of the majority of the members will be considered as the decision of the Panchayet and will be final

28 The Municipal Market Committee shall frame by-laws for defining the trade allowances scale of fees to be charged, and such other charges for which no specific provision has been made in the above rules

C RANGANATHA RAO SAHIB

Proceeding of the meeting of the Special Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation held on the 11th January 1930

The President and all the Members, except Messrs N S Nanjundiah, A Thangavelu Mudaliar and B Narasinga Rao, were present Apologies were received from the last two members for their absence and Mr Nanjundaiya wired later on that there was some motor trouble

2 The Committee first took up the consideration of Mr Ranganatha Rao Saheb's note regarding the amendment of the Municipal Rugulation for regulating trade in cotton and other commodities Mr Ranganatha Rao Saheb explained the object of the regulation of the cotton markets and the Committee after consideration of the existing provisions in Sections 48 and 139 of the Municipal Regulation, decided that it was not expedient to make any provision for this purpose in the Municipal Regulation They considered it desirable to have a separate Regulation for controlling the cotton markets on the basis of the Bombay Act XVII of 1927 and decided that the Director of Industries and Commerce may address Government in the matter

3 The consideration of Section 22 A proposed to be introduced in Clause 16 of the Bill was then taken up The Committee considered that it was not necessary to further penalise persons disqualified from being candidates under Section 22 of the Regulation by taking away from them the power to vote at Municipal elections In the course of the discussion it was also decided that the whole of Section 12 of the Regulation prescribing qualifications of candidates in certain cases was unnecessary as the disqualifications of candidates prescribed in Section 15 were quite sufficient, that in Sub-Clause (ii) of Clause (c) of Section 11 of the Regulation, the words "other than as hereinafter provided" may be omitted and that the Government may prescribe by rules all the qualifications of candidates and of voters

4 The consideration of Clause 63 was then taken up It was decided to retain the clause with the modification that the notice be given before occupation of the building and that in sub- section (1) of the Section, proviso (a) may be deleted and that proviso (b) be re-lettered as proviso (a) and that the period of one month be reduced to 15 days in this proviso and also in clause (b) of sub section (2) of the same Section But the powers under this section should be exercised by only such of the Municipalities as may be empowered by the Government in this behalf In consequence of the introduction of this clause it was decided to modify sub-section (6) of Section 96 on the lines of Section 123 (8) of the Bombay City Municipalities Act, 1925, and omit the proviso to Sub-Section 4 of the same Section as it has been provided for in Sub-Section (4*a*) inserted by clause 62 of the Bill

5 Then the question as to whether a person who is disabled to continue as a Councillor and has vacated his seat may stand as a candidate at a bye-election held for filling up his place was considered The Committee opined that it was undesirable that a Councillor who was disabled for absenting himself from meetings of the Council should stand as a candidate at the bye election held to fill up the vacancy caused by his absence

6 The question of extending the privilege of electing the President to all the Town Municipal Councils was considered and it was decided to leave the existing provision in the Regulation without any modification It was also decided that the provision in the minor Municipalities Bill be revised so as to conform to the provision in the present Regulation

7 The question of restricting the term of the Presidents and Vice-Presidents was then taken up and the Committee considered it desirable to restrict their term (whether they were elected or nominated), to one year and that a Councillor who has been elected as President should not be qualified to be re-elected at the succeeding election

8 The question of powers to be exercised by Vice-Presidents of Municipal Councils was then discussed and it was agreed that it was desirable to define the duties of the Vice-President more definitely than heretofore by providing in Section 25 powers to Municipal Councils to assign any duties which they may consider suitable according to the circumstances of each Municipal Council

9 At this stage the meeting was adjourned

Proceedings of the meeting of the Special Committee appointed to consider the Bill further to amend the Mysore Municipal Regulation held on 15th February 1930

The President and Messrs T Srinivasa Char, K V Anantaraman, P Mahadevayya and N S Nanjundayya were present Letters were received from Messrs Vema Reddy, B Narasinga Rao, Thangavelu Mudaliar and N Madhava Rao for their absence

2 The Committee agreed to the amendment of Section 46, clause (g), so as to authorise the grant to Municipal employees of compassionate gratuity on the lines of Government Order No Fl 7418-77—S & A 252-28-4, dated 3rd April 1929

3 The question of increasing the maximum rates of taxes on motor buses and lorries was next considered The Committee decided that in the case of buses the rate may be raised to Rs 60 and that the rate on motor cars not exceeding 10 H P may be fixed at Rs 20, other motor cars paying Rs 30 now provided

4 The question of increasing the rates of tolls on lorries was then considered and it was decided not to raise the rate on lorries and that on each trailer attached to a motor vehicle a toll of 4 annas and a vehicle tax of Rs 6 a year be levied

Schedules I and II of the Regulation will accordingly be amended as follows —

SCHEDULE I

	Rs	a	p
(1) For " for every motor car	30	0	0
Do Cycle	15	0	0 "
Substitute			
" For every motor car not exceeding 10 H P	20	0	0
For every motor car exceeding 10 H P	30	0	0
For every motor bus	60	0	0
For every motor cycle	15	0	0 "

(2) After ' For every other vehicle with springs and every palanquin, bicycle or tricycle " add ' and trailer attached to a motor car "

SCHEDULE II AS AMENDED BY THE COMMITTEE

At the end of item 3 of the schedule, " Motor Tricycle or bicycle " add " or trailer attached to a motor car "

5 The question of bringing the business of quarrying and using places as cart stands within the purview of Section 151 was next considered and it was decided to add these items to the list of trades and occupations specified in the section

6 The proposal made by the Chikmagalur Municipal Council to number and register ordinary carts in addition to bicycles, tricycles and motor vehicles was then considered and it was decided to amend clause (jj) of sub section (1) of section 48 so as to provide for this also

7 The question as to whether in the absence of the Amildars who may happen to be *ex-officio* Presidents of Municipal Councils, the Taluk Sheristedars should perform the functions of the Presidents was considered and it was decided that notwithstanding

anything contained in Sections 9 and 13 of the Land Revenue Code, the Vice-President should perform the duties of the President in the latter's absence, Section 25 (2) of the Regulation being amended as follows —

"(2) Notwithstanding anything contained in Sections 9 and 13 of the Mysore Land Revenue Code in regard to the Deputy Commissioner or Amildar or Deputy Amildar who may be *ex-officio* President of a Municipal Council, it shall be the duty, etc"

8 Further revision of the Bill as noted below was approved —

(1) *Clause 2 sub-clause* (3) —The definition of "Octroi" so as to include "terminal tax" as given in the original bill was retained

(2) *Clause 4 Sub-clause* (*1*) —The last three lines of the sub-clause were omitted

(3) *Clause 10*—(*a*) In sub clause (1), for the words "clauses (*a*), (*b*) and (*c*)" the words "clauses (*a*) and (*b*)" were substituted

(*b*) The following was added as sub-clause (5) of clause 10 —

'In clause (*d*) of sub section (2) of the same section, for the words "prescribed in the proviso of sub-section, (1) of section 10, or" the words prescribed in sub-section (1a) of section 10, or" shall be substituted

(4) *Clause 17*—(*a*) The proceedings of the meeting held on the 11th January 1930 were revised so as to limit the term of the President to one year only in the case of those elected by the Municipal Council

(*b*) A sub-section to prohibit the election of salaried servants of Government as Presidents and Vice-Presidents and to empower the Government to appoint the President and Vice President in the case of failure to elect within a reasonable time was inserted

(4) *Clause 18 Sub-clause* (2) —After the words "Provided further that' the words "notwithstanding anything contained in Chapters XIII and XIII A," were inserted It was also decided that the change made by this clause be mentioned in the statement of objects and reasons

(5) *Clause 23* —This clause was omitted

(6) *Clause 43* —Schedules A and B specifying the maximum rates of taxes were approved and inserted as part of the Bill

(7) *Clause 44* —The explanation to the clause was omitted

(8) *Clause 45* —For the words "assessment book" the words "assessment list" were substituted

(9) *Clause 62—sub-clause* (*3*) —The amendment of the sub-clause so as to omit the proviso to sub section (4) of section 96 was approved

(10) *Clause 81* —The Committee decided that Municipal Councils should be empowered to prosecute for breach of rules under the Regulation and that Section 161 be suitably amended

(11) *Clause 83* —In sub-section (4) of section 167 as amended at the meeting held on 9th February 1929, for the words 'anything lawfully, in good faith and with due care and attention done," the words "done or purporting to be done in good faith," were substituted

(12) *Clause 86* —The amendment of the clause was approved so as to provide for —

'(*i*) the Government auditor reporting the amount to be surcharged to the Deputy Commissioner, and

(*ii*) the Deputy Commissioner on the report of the Auditor passing a surcharge order certifying the amounts due by the person concerned in all the Municipalities including City Municipalities

(13) *Clause 102* —After the words "A Municipal Council may" in Section 185 C (3) the words "subject to the provisions of Section 40" were added

(14) *Section 186A* —The words and figures "whether made under S. 177 or Section 182" in sub-section (2) of Section 186A were omitted.

(15) *Clause 104* —Section 143 in the list of sections given in the clause was omitted

(16) *Section 186P* —In sub-section (3) of this section after the words "The Municipal Council may" the words "subject to the provisions of Section 40" were added

(17) *Clause 106* —The note at the end of schedule II was omitted

9 The bill as finally revised and showing the Sections of the Regulation incorporating the changes as finally approved by the Committee was ordered to be printed and circulated

W D 3462—GPB—100—14 7 30

PROCEEDINGS OF THE MEETING OF THE MYSORE MUNICIPAL REGULATION AMENDMENT COMMITTEE HELD IN THE CHAMBERS OF THE THIRD MEMBER OF COUNCIL, PUBLIC OFFICES, BANGALORE, AT 2 P M, ON 10TH FEBRUARY 1931

I The Committee decided to adopt the Draft Bill as revised and printed with the following modifications —

(*a*) In sub-clause (2) of the clause 4, the words "or 18A" were inserted after the words "Section 18"

(*b*) In the proviso added by sub-clause (5) of clause 15, the word "not" was omitted, as the Committee considered that the out going President should be eligible for re-election

(*c*) Clause 87 was recast so as to empower the Deputy Commissioner to inspect all Municipal Offices and call for records and make Section 173A applicable to City Municipalities also, Section 173A as amended above was also brought within the purview of Section 180A

II Further amendment of the Bill in certain respects was next considered and it was decided to adopt the following modifications —

(*a*) *Section 23 (8)*

It was considered that the President and the Vice-President should be deemed to have vacated their seats —

(*a*) at once if a 'no confidence motion" is passed by a majority of not less than two thirds of the whole number of Councillors,

(*b*) on the passing of a "no confidence motion" in respect of the same person at a meeting held not less than one month after the first "no confidence motion" was passed by a bare majority

(*b*) It was agreed to empower the Deputy Commissioners to delegate to Assistant Commissioners their powers to inspect Municipal Offices

(*c*) Schedule I of the Bill was revised so as to fix the maximum rate of vehicle-tax on motor vehicles as follows —

	Yearly
For every motor bus or lorry	Rs 60
For every motor car weighing 15 cwt or more	,, 40
For every motor car weighing less than 15 cwt	,, 30

(*d*) The Committee agreed that Government may be empowered to limit by rules the classes of traffic on which tolls may be levied by Municipal Councils and in order to do so, it was decided to amend Section 46 so as to authorise the Government to make rules in respect of matters specified in Section 46 (1) also

(*e*) Schedule II of the Bill was revised so as to subject motor lorries to a maximum toll of Rs 2

(*f*) It was decided to add a sub section to Section 23 so that the Vice-President may be deemed to have vacated his office of Vice-President on his being elected or nominated as President

(*g*) It was also agreed to add a sub-section to Section 26 prohibiting Councillors having pecuniary interest in any matter coming before the Council from voting on such subjects as in Section 29 (1) (g) of the Mysore District Boards Regulation

III The Committee desired that a paragraph be added at the end of the report to be submitted to Government, recording their appreciation of the good work done by Mr T K Someswara Iyer and Mr D Sitaramaiya in connection with the Bill

M D 1990—GPB—10-5—12 3-31

The Mysore Representative Assembly.

BUDGET SESSION—JUNE 1931

STATEMENT OF GOVERNMENT BUSINESS TO BE PLA BEFORE THE REPRESENTATIVE ASSEMBLY

I

General Principles of the Bill to amend the Hindu Law as to the Rights of Women

The question of improving the position assigned to women under the Hindu Law as at present administered by the Courts in the State was frequently pressed on the attention of the Government A resolution was also moved at the Dasara Session of the Representative Assembly in 1928 and, as a result of the discussions therein, the Government appointed in June 1929 a Committee consisting of ten non-official gentlemen with Rajadharmapravina Diwan Bahadur K. S Chandrasekhara Aiyar, B A , B L , as Chairman, to examine the subject in all its aspects, including incidental questions that may arise in connection with it, to submit a report to the Government indicating in what respects the present Law stands in need of reform, and to prepare a draft Bill embodying the recommendations of the Committee in the matter

The Committee submitted in September 1930 a comprehensive and unanimous report together with a draft Bill embodying their recommendations The report was published under G O No P 1559-70—Legis 24-30-2, dated 13th September 1930 A full resume of the report was published in the Gazette in English as well as in Kannada and copies were widely distributed

Judging by the expressions of well-informed and enghtened opinion, the recommendations of the Committee are generally viewed on the whole with a considerable measure of appreciation It is true that in the opinion of several sympathetic critics the proposed changes do not go sufficiently far to improve the position of women On the other hand, there are a few who are opposed on principle to any change whatever in the existing Law Apart from these, various suggestions have been received for improving and amending the provisions of the Bill on points of detail, which will be duly considered at the proper stage As it appears that the weight of public opinion is in favour of undertaking legislation, the Government desire to place before the Assembly a statement of the general principles underlying the Bill for the expression of its opinion

The general principles of the Bill are the following —

I Inheritance and Order of Succession

The principle is definitely recognised that women shall not be excluded from inheritance on the ground of their sex or on the ground of the absence of textual authority

Their right of heirship and their place in the order of succession will be governed by the recognised canons of heirship, *viz* , consanguinity and propinquity A classified table of heirs of both sexes within a range of three degrees is suggested to be laid down indicating the exact position to be assigned in the order of succession to various female relatives or relatives connected through females who are at present either placed lower down or altogether omitted, though belonging naturally and properly to the family of the deceased General rules governing the order of preference have also been proposed to be definitely laid down

II Joint Family incidents

Property acquired by a member of a joint family by his self-exertions is *prima facie* his separate property in which female heirs would have a heritable right.

This is a well recognised principle, but some doubt as to the scope thereof is possible in view of some recent British Indian decisions The possibility of doubt on the point is removed recently in British India by the Hindu Gains of Learning Act A similar provision is recommended here covering all modes of self-acquisitions made without material and direct aid from joint family property

The right of a member of a joint family to bring about a separation of interests by a unilateral declaration of intention to divide is now established by judicial decisions, but it is not sufficiently well known The fact has obviously a material bearing upon the rights of a coparcener's wife, daughters and other female relatives The law on this point is therefore proposed to be declared in clear terms

The allotment of shares to female relatives is enjoined in the texts of law and is also in operation in certain parts of India It existed in the past even in Southern India but it has now fallen into disuse there Although the practice as it was in the past cannot now be restored in full, it is considered desirable that it should be revived in the cases of the widow, the mother, the unmarried daughter and, the unmarried sister who are even now entitled to provision being made for maintenance, marriage expenses, etc It is thought that this recognition of a right to a share will make for a decided improvement in the legal position of women

III Adoption.

At present widows can only make an adoption to their husbands if they are specially authorised by the husband or if they obtain the consent of the *sapinda* after the husband's death, a consent which would naturally be difficult to obtain In the sister Presidency of Bombay, widows are presumed to have the authority to adopt except when there is an express prohibition This is a beneficial principle which will obviate much litigation and is accordingly recommended This ought not of course to affect the widow's right alternatively to claim either maintenance or a share in property

IV Women's Estate

Though, according to the Mitakshara, the term ' Stridhana " was meant to apply to property of every description belonging to a woman, the tendency of decisions has been to exclude various items of property from its scope, particularly property acquired by inheritance The result has been the creation of what is acknowledged to be an anomalous estate known as the Hindu Widow's Estate, with incidents tending to undue curtailment of women's rights and the perpetual fostering of protracted and often speculative litigation This state of affairs can only be remedied by enlarging the powers of female heirs in regard to dealings with the property for necessary purposes and by recognising full powers of ownership in the case of certain near relatives, such as the wife, the mother and the daughter of the previous male owner It is accordingly proposed to be provided that estates inherited by a female from another female or from her husband or son or from a male relative connected by blood shall be classed as " Stridhana " The course of succession in the case of " Stridhana " is materially simplified by the removal of artificial distinctions and by providing a table of heirs which is made as far as possible uniform for the various kinds of property

V Maintenance

The existing Law with regard to maintenance presents some unsatisfactory features. While some female relatives are legally entitled to be maintained, there is only a moral obligation of maintenance in respect of certain others The right of maintenance too is often liable to be defeated by the collusion or improvidence of those on whom the legal obligation lies It is therefore proposed to define the cases in which the obligation of maintenance is personal and those in which it is dependant on the possession of property and also to define clearly the circumstances entitling a wife to separate maintenance

It is further proposed to treat the right to maintenance as a charge on property liable to meet it, with priority over subsequent alienations not made in good faith.

Such in brief are the essential principles sought to be given effect to by the Bill.

II

General principles of the Election Offences and Inquiries Bill

The Reforms Committee presided over by Rajamantrapravina Sir Brajendranath Seal, KT, MA, PH D, D SC, recommended the adoption of the British Indian Act, XXXIX of 1920 (Indian Election Offences and Inquiries Act)

A Bill was accordingly drafted and a statement of the general principles was placed before the Representative Assembly in 1925 It was welcomed by some of the members, but the general sense of the Assembly was that there was no urgent need therefor and the introduction of the measure might be postponed The matter was therefore dropped

The Committee, which was appointed in 1927 in response to a resolution in the Legislative Council to revise the rules relating to the Representative Assembly and the Legislative Council recommended among other matters the introduction of legislation on the lines of the Indian Election Offences and Inquiries Act and the Government, while passing orders on the recommendations in their Order No Rel 484-507 R A 46-23-2 dated 17th December 1929, reserved the subject for further consideration

In regard to representative institutions it is essential that the purity of their representative character should be scrupulously maintained The Government therefore consider it desirable that adequate safeguards should be provided to prevent the possibility of malpractices being resorted to in relation to elections. A Bill has accordingly been drafted and it consists of two parts —

Part I declares certain transactions connected with elections as offences under the Indian Penal Code They are (1) bribery, (2) undue influence, (3) personation, (4) making a false statement in connection with an election, (5) incurring unauthorised expenditure for the purpose of procuring or promoting the election of a candidate and (6) failure to keep election accounts, where such are required by law.

Part II lays down provisions supplementary to the existing rules for the conduct of enquiries into disputes relating to elections to the Legislative Council and the Representative Assembly. The District Judge is invested with the powers of a Civil Court for the purpose of such enquiry and enabling provisions have been made in relation to reception, of evidence oral and documentary Power is also taken to appoint, if necessary, commissioners for inquiry in place of the District Judge

Provision is also made for disqualifying for five years persons convicted of the offence of bribery or undue influence, in connection with an election, from holding a Judicial office, or other offices to which appointment is by election, and from being a member of a local authority Government may, however, exempt any such person from any such disqualification

III

General Principles of the Draft Minor Municipalities Bill and the Bill further to amend the Mysore Municipal Regulation

When the Bill further to amend the Mysore Municipal Regulation, since passed as Regulation VIII of 1927, was introduced into the Legislative Council in December 1926, it was suggested by some non-official members that a special committee might be appointed to examine the provisions of the Mysore Municipal Regulation and suggest improvements This suggestion was accepted by Government Government considered that the deliberations of the committee to be appointed for considering the improvements would be facilitated if a Bill to amend the Regulation were framed and placed before them Accordingly a Bill to amend the existing Municipal Regulation was prepared and the present Municipal Regulation being found to be too complex to meet the simple requirements of the smaller municipalities, a draft Minor Municipalities Bill was also prepared for regulating the affairs of Minor Municipalities A Committee was constituted in Government Order No L 4899-1907—Ml 21-27-8 dated the 24th February 1928 for consideration of these Bills The Committee examined the Bills at several sittings and they

agreed with the suggestion that there should be a separate Regulation for Minor Municipalities and that the application of the existing Municipal Regulation may be restricted to Town and City Municipalities only The Committee have taken the opportunity of introducing into the Bills provisions which experience has shown to be necessary or which, in view of the development of the Municipal Administration in recent years in British India and elsewhere, it is considered expedient to adopt in our State As far as possible, the provisions in the Minor Municipalities Bill conform to those in the present Regulation and in the other Bill except when a change is considered specially necessary Before Legislation is undertaken to give effect to the recommendations of the Committee as embodied in the Bills, Government desire to place the main changes recommended by the Committee before the Representative Assembly for their views

I BILL FURTHER TO AMEND THE MYSORE MUNICIPAL REGULATION.

The main changes introduced into the existing Regulation are the following —

(1) Chief Officers

Under the present Regulation, the executive administration is centred in the Municipal Council, except where a Chief Officer or a Commissioner has been appointed The Municipal Council or the Committees in larger Municipalities can do little more than determine questions of policy and the Government officers, who are *ex-officio* Presidents in the majority of these Municipalities, cannot be expected to devote very large attention to Municipal matters It is therefore necessary to have a permanent staff in these Municipalities to attend to the executive functions and to define with greater clearness the powers of the executive and to secure proper supervision and control by the appointment of a responsible executive officer with clearly defined statutory powers The appointment of the Chief Officer is therefore made compulsory except when for special reasons Government consider it necessary to dispense with the appointment and the executive power generally vests in him His powers are also proposed to be enhanced by allowing him to exercise the powers of the Municipal Council under Sections 68 B, 70 (1a) and (2), 76, 79 (3), (4) and (5), 81A (2), proviso 82 to 84, 84 B, 86 A (2), 95, 96 A, 97, 99, 117, 120, 126A, 131 A (2), 136, 139 (3), 154 and 155, appeals being allowed to the Municipal Council from the orders of the Chief Officer

(2) Minimum Population

The minimum population for constitution of the Municipalities under the Regulation is raised from 2,000 to 5,000 as the Regulation will not be applicable to smaller Municipalities

(3) Elected Element on Municipal Councils

The minimum strength of the elected element on the Municipal Councils is raised from one half to two-thirds of the total strength

(4) Qualifications of Voters and Candidates

The qualifications for voters and candidates have been specified in certain cases in the Regulation and the qualifications in other cases are regulated by rules framed by Government It is decided to leave the qualifications of voters and candidates to be regulated by rules framed by Government and to delete Sections 12 and 21 of the Regulation

(5) Publication of Election Roll

It is considered unnecessary to annually revise the Municipal Election Roll and publish it every year It is sufficient if the Municipal Election Roll is prepared only once in three years and opportunity is afforded to persons newly qualified to have their names enrolled at any time within one month preceding the date fixed for an election

(6) Disqualification to be Councillors to cease automatically

Under Section 15 (1) of the Municipal Regulation, the disqualifications in certain cases will continue to operate unless an order to the contrary is passed by Government It is decided to automatically terminate the disqualifications after the lapse of a definite period as in the case of District Board members and to bring the disqualifications into line with the provisions in the District Boards' Regulation

(7) Removal of Councillors

It is considered necessary to afford opportunity to Councillors to explain at an enquiry before removing them from office

(8) Election Disputes

In order to prevent vexatious complaints in regard to Municipal elections, it is considered necessary to prescribe that the validity of Municipal elections should be disputed by a candidate who stood for election or by at least 10 persons qualified to vote at the election and that a deposit should accompany the application as in the case of elections to the District Boards Provision is also made for appeals on points of law to the High Court from the orders of District Judge in election disputes Section 22 is also made applicable to the election of Presidents by the general body voters It is also considered necessary to debar Civil suits in regard to matters relating to appointment or removal of Councillors, Presidents or Vice-Presidents except where they are specially provided for

(9) Election of Presidents and Vice-Presidents

It is decided to leave the appointment of Vice-President to the discretion of the Municipal Council instead of to that of the Government Salaried servants of Government are specifically made ineligible for election as Presidents and Vice-Presidents The term of Presidents and Vice-Presidents elected by the Municipal Council which is now co-terminous with the term of the incumbents as Municipal Councillors is limited to one year

(10) Vacation of seats by Presidents and Vice-Presidents

There is no provision in the present Regulation for the automatic vacation of office by Presidents and Vice-Presidents It is proposed to provide for such vacation—

(1) forthwith when a resolution to that effect is passed by a majority of not less than two-thirds of the whole number of councillors and

(2) after the passing of a second resolution to that effect after an interval of not less than one month when a resolution to that affect is passed but not by a majority of not less than two thirds

(11) Executive Powers

In view of the appointment of an executive officer generally for all Municipalities governed by the Regulation, it is not necessary to invest the President with executive functions generally To meet the cases of Municipalities where there is neither a Chief Officer nor a Municipal Commissioner, it is considered necessary to empower the Presidents to exercise all the powers that may be exercised by the Municipal Commissioner in City Municipalities and the Chief Officer in other Municipalities

In cases in which the Deputy Commissioner, Amildar or Deputy Amildar is an *ex officio* President of the Municipal Council, it is considered necessary to authorise the Vice President to exercise the powers of the President when the latter is absent, notwithstanding the provisions contained in Sections 9 and 13 of the Land Revenue Code The duties of the Vice-Presidents are not at present uniform in all the Municipalities It is proposed to take power to Government to define more definitely the powers of the Vice-President,

(12) MEETINGS OF MUNICIPAL COUNCILS

Complaints have reached Government of undue delay in summoning special meetings duly requisitioned Power is therefore given to the Vice-President or at least one-third of the whole number of Councillors to call a special meeting if the President does not call the meeting for a date not more than 15 days after the presentation of the requisition The quorum of one-half for meetings of Town and Minor Municipal Councils is large and it is necessary to prescribe a uniform quorum of one-third for meetings of both City and Town Municipal Councils Certain officers of Government specified in Section 26 (14) (*a*) of the Regulation have alone the right to attend the meetings of Municipal Councils Power is taken to Government to allow any officer notified by Government in this behalf to attend meetings of Municipal Councils

(13) CONTRACTS

It is necessary to require Municipal Councils to invite tenders for supply of materials for execution of works when the value exceeds Rs 1,000 ant to obtain sanction of Government to the acceptance of tenders when the cost exceeds Rs 10,000 The powers of Municipal Councils in respect of purchase and sale of movable property and in respect of the transfer of immovable property are too low and they are proposed to be raised to Rs 2,000 in City and Town Municipal Councils and Rs 1,000 in the case of other Municipal Councils

(14) LIABILITIES OF COUNCILLORS OFFICERS AND SERVANTS.

Municipal Councillors and Presidents are now personally liable for misapplication of the Municipal Fund It is necessary to make them liable also for loss or waste of Municipal money or property caused by their negligence or misconduct. Essential servants of Municipal Council such as sweepers, etc, are not now required to give any notice before resigning their offices. With a view to prevent sudden strikes and dislocation of municipal work, it is considered expedient to require a month's notice and to make the omission so to give the notice penal.

(15) RULES AND BYE-LAWS

There is no provision in the Regulation to make rules for authorising payment of compassionate gratuity to surviving relations of Municipal employees Necessary provision is made so that the Municipal employees may have the same benefit as Government employees in this respect

In order to secure uniformity in regard to levy of taxes by Municipal Councils and other matters incidental thereto, it is necessary to take power to Government to frame rules in the matter Provision is also necessary for numbering and registration of all vehicles liable to Municipal taxation, for fixing terminal tax limits and taking measures for regulating the management of public parks and open spaces vested in the Municipal Council

(16) FUNCTIONS OF MUNICIPAL COUNCILS

The list of discretionary duties require amplification and provision is made for inclusion of the following duties

(*a*) Promotion of Co-operative Societies for the benefit of Municipal employees and of societies whose objects include housing the poorer and working classes

(*b*) Provision of telephone service, transport facilities for the public and supply of electricity for lighting and power for public and private purposes

(*c*) Maintenance of ambulance service

(*d*) Anti-rabic treatment

(17) MUNICIPAL TAXES.

The maximum rates of taxes are specified in the body of the Regulation in some cases and in the schedules in other cases To secure uniformity the maximum rates of taxes may be fixed in the schedules only. The existing maximum rates of tax leviable on motor vehicles are not adequate The rates on motor buses and lorries is raised to Rs 60 while that on motor cars of 15 cwts and more is enhanced to Rs 40 a year The maximum rates of toll are made identical with

those leviable on State Roads and the levy of toll on animals is discontinued. Provision is also made for the levy of terminal tax when octroi is not levied Power is also taken to Government to grant and define by order exemptions from payment of tolls and other taxes in exceptional cases in addition to those given in the Regulation or provided for by the Municipal Councils in the rules It is also considered desirable to entrust the assessment of buildings and lands in Municipalities in each District to a Government Officer of the rank of an Amildar and to appoint for this purpose an Assessor for each District who will also conduct the revenue audit of Municipalities Absence of specific provision for composition of tolls is causing a great deal of inconvenience Provision is therefore made for composition of tolls and also of octroi in order to minimise the inconvenience incidental to the levy of the duty To facilitate collection of taxes, power is given to Municipal Councils to recover arrears of taxes by attachment and sale of immoveable property of defaulters, subject to the prior right of Government in respect of land revenue

Decisions of Magistrates on appeals against notice of demand are not now subject to revision Provision for revision in these cases is therefore made

(18) Regulation of Streets and Buildings.

No specific provision exists for Municipal Councils to temporarily close public streets for executing works Necessary provision is made for this purpose and power is given to Municipal Councils to create facilities on such occasions to the people concerned and pay compensation to persons sustaining special damages by such works

In regard to buildings, Municipal Councils are given power to impose without any special authorisation by the Government conditions as to materials, dimensions and cubical contents of the rooms, doors and windows and to the number of storeys to be erected or the purposes for which the building is to be used There is at present no limit as to the period for which the right to build by giving a notice accrues and it is decided to limit it to one year It is also desirable to require the owner to give notice to the Municipal Council before completion of the building and occupy it after affording facility to the Municipal Council for inspection of the building. This provision will be enforced in only such of the Municipalities as are notified by Government in this behalf

(19) Sanitary Matters

It is necessary to give power to the Municipal Councils—

(i) to prohibit the use of a building or room which is unfit for human habitation and the cultivation of certain crops, and

(ii) to deal with collections of water which are likely to be breeding places of mosquitoes and to regulate the construction of tanks or ponds

Provision is also made for prevention of nuisances from quarries and cart stands by including them under offensive trades

(20) Audit of Accounts

Audit of the Municipal Accounts by a Government Auditor is made compulsory and power is given to the Deputy Commissioners to surcharge on the report of the Auditor the persons responsible for deficiency or loss incurred by their negligence or misconduct

(21) Powers in regard to Control.

There is no specific provision for inspection of City Municipal Offices Power to inspect these offices is given to the Deputy Commissioners when so authorised by Government Power is taken to Government to annul or amend any proceeding or resolution of Municipal Councils or their executive which is not in conformity with law or orders in force Government Officers who take lawful action on behalf of or in default of Municipal Councils and enter into contracts, etc, are also afforded the same protection as is extended to Municipal authorities

(22) Powers of Municipal Commissioner.

The powers of the Municipal Commissioner require modification The powers of the Municipal Council under Sections 160 A and 161 A are conferred on the

Municipal Commissioner The limit of power to enter into contracts without the sanction of the Municipal Council is also raised from Rs 500 to Rs 1,000

II MINOR MUNICIPALITIES BILL

It is already stated that the main object of the Bill is to provide a simple Regulation to suit the requirements of smaller Municipalities in the State Minor Municipalities do not require elaborate provisions and the provisions to be made may be limited to what are really essential, the remaining provisions being regulated by rules which the Government may prescribe A separate Bill has therefore been prepared for Minor Municipalities keeping these principles in view.

The most important changes introduced by the Bill are the following —

(1) *Constitution of Minor Municipalities*

The minimum population for constituting an area as a Minor Municipality is fixed at 3,000

(2) *Elections*

Provision has been made for adult suffrage subject to the condition that in order to be qualified to be a voter, one should have resided in the Municipality for a period of not less than six months prior to the date of election Munsiffs have been empowered to decide election petitions, appeals being allowed to the Chief Court from the order of the Munsiff only on a point of law

(3) *Executive Officer and President*

The finances of small Municipalities do not admit of the appointment of an executive officer for efficiently carrying out the executive functions The executive powers in these Municipalities will, therefore, continue to vest in a President and it is necessary that he should be responsible to the Government for the fulfilment of the purposes of the Regulation In order to enable him to carry out his functions without undue interference, the President has been invested with certain powers independent of the Municipal Council and appeals are allowed to the Municipal Council from his orders

The policy in regard to election and appointment of Presidents and Vice-Presidents is left as heretofore But the appointment of the Vice-President is left to the discretion of the Municipal Council Presidents and Vice-Presidents are also required to vacate their offices automatically when resolutions are passed to that effect When the resolution is passed by a majority of not less than two-thirds of the whole number of councillors, the seat will be vacated at once, but if the resolution is passed, but not by a majority of not less than two-thirds, the place will be vacated if another resolution for the removal of the same President or Vice-President is passed after an interval of not less than one month

When the President or Vice-President is elected by the Municipal Council he will hold office for such period as may be fixed by the Municipal Council and in other cases the term will be co-terminous with or be the residue of his term as Councillor In order that the non official Presidents may exercise their executive powers with freedom, the Amildar has not been invested with any powers of interference and in order to provide for prompt remedial measures when emergencies require, the Assistant Commissioner of the taluk in which the Municipality is situated is given wide powers as regards inspection, supervision and control

(4) *Taxation*

Minor Municipal Councils are at present required to impose taxes at a uniform rate throughout the State Town and City Municipal Councils have power to fix and vary the rates of taxes according to their requirements and for this purpose they have to frame rules which take effect only on sanction of Government being obtained thereto Village Panchayets have power to fix the rates of taxes subject to the maxima prescribed by the Government The power to fix the rates within the maximum approved by the Government and to vary the rates from time to time as may be deemed expedient, is given to the Municipal Councils in the present Bill In order, however, that the rates may not be fixed unduly low, power has

been reserved to the Government to require the Municipal Councils to increase the income by imposing any new taxes or enhancing the rates of existing taxes Power has also been taken to Government to appoint for each District an Assessor for assessing taxes imposed in the form of a rate on buildings and lands The Assessor will also conduct the Revenue Audit of the Municipalities in the District

(5) *Surcharge*

Power is given to the Deputy Commissioner of the District to surcharge on the report of the Auditor, the President, Councillors, officers and servants for loss, waste or misapplication of the Municipal Fund This provision is necessary in order to safeguard the interests of the inhabitants of the Municipality

(6) *Rules*

Though the existing Municipal Regulation gives power to the Minor Municipal Councils to frame bye-laws, many Municipal Councils have not framed bye-laws and the administration of Minor Municipal Councils has, to some extent, been hampered by the absence of bye-laws It has been considered expedient to take away from the Minor Municipal Councils the power to frame bye-laws and to retain in the hands of Government the power to make rules to regulate all matters concerning Minor Municipalities and to prescribe punishments for violation of rules

(7) *Dissolution of Municipal Council*

Provision has been made for investigation by Government of complaints from rate-payers against Municipal Administration and dissolution of the Municipal Council in cases of necessity

P MAHADEVAYYA,
Ex-officio *Secretary, Representative Assembly*

W D 2601—GPB—500 -16-5-31

ಆಕ್ಟಿನ ಮೊದರಿಯಲ್ಲಿ ಕಾನೂನನ್ನು ರಚಿಸಿ ಆಚರಣೆಗೆ ತರಬೇಕೆಂದು ಆ ಸಮಿತಿಯವರು ಇತರ ವಿಷಯಗಳ ಜತೆಯಲ್ಲಿ ಸಲಹೆ ಮಾಡಿದರು. ಆದರೆ ಸರ್ಕಾರದವರು ಈ ವಿಚಾರವನ್ನು ಇನ್ನೂ ಹೆಚ್ಚಾಗಿ ಪರ್ಯಾಲೋಚಿಸಿ ನೋಡುವುದಕ್ಕಾಗಿ ಉಳಿಸಿಟ್ಟುಕೊಂಡು ಇತರ ಸಲಹೆಗಳ ಮೆ ಲೆ 1929ನೆಯ ಇಸವಿಯ ಡಿಸೆಂಬರ್ 17ನೆಯ ಮರ್ಕ್ಯುಲರ್ ಆರ್ ಇ ಎಲ್ 484-507—ಆರ್ ಎ 46-28-2ನೆಯ ನಂಬರಿನ ತಮ್ಮ ಹುಕುಮಿನಲ್ಲಿ ತಮ್ಮ ತೀರ್ಮಾನಗಳನ್ನು ತಿಳಿಸಿದರು

ಪ್ರಜಾ ವರ್ಗದವರ ಪ್ರತಿನಿಧಿಗಳ ಚುನಾವಣೆಯಲ್ಲಿ ಲಂಚ ರುಷುವತ್ತು ಮುಂತಾದ ಅಕ್ರಮದ ವರ್ತನೆಗಳಿಗೆ ಅವಕಾಶವಿಲ್ಲದಂತೆಯೂ, ಚುನಾವಣೆಗಳು ಸರಿಯಾಗಿ ನಡೆಯುವಂತೆಯೂ, ನೋಡಿಕೊಳ್ಳುವುದು ತೀರ ಅಗತ್ಯವಾಗಿದೆ ಆದಕಾರಣ, ಚುನಾವಣೆಗಳ ವಿಷಯದಲ್ಲಿ ಅಕ್ರಮಾಚರಣೆಗಳು ಆಗುಸರಿಸಲ್ಪಡುವ ಸಂಭವಗಳನ್ನು ತಪ್ಪಿಸುವುದಕ್ಕಾಗಿ ತಕ್ಕ ಮಾರ್ಗಗಳನ್ನು ಕಲ್ಪಿಸತಕ್ಕುದು ಆವಶ್ಯಕವೆಂದು ಸರ್ಕಾರದವರು ಭಾವಿಸಿದ್ದಾರೆ ಇದಕ್ಕನುಸಾರವಾಗಿ ಒಂದು ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಲಾಗಿದೆ ಮತ್ತು ಅದು ಎಂಟು ಭಾಗಗಳುಳ್ಳದಾಗಿದೆ. ಚುನಾವಣೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಕೆಲವು ಕೃತ್ಯಗಳು ಇಂಡಿಯನ್ ಪಿನಲ್ ಕೋಡಿನ ಮೇರೆಗೆ ತಕ್ಸೀರುಗಳಾಗಿರುತ್ತವೆಂಬುದಾಗಿ 1ನೆಯ ಭಾಗದಲ್ಲಿ ಪ್ರಕಟಿಸಲಾಗಿದೆ ಆ ಕೃತ್ಯಗಳು ಯಾವುವೆಂದರೆ —

(1) ಲಂಚ, (2) ಕಾನೂನಿಗೆ ವಿರುದ್ಧವಾದ ಪ್ರೇರೇಪಣೆ, (3) ತಾನೇ ಮತ್ತೊಬ್ಬ ಮನುಷ್ಯನೆಂದು ಹೇಳಿಕೊಳ್ಳುವುದು, (4) ಒಂದು ಚುನಾವಣೆಯ ಸಂಬಂಧದಲ್ಲಿ ಸುಳ್ಳು ಹೇಳಿಕೆಯನ್ನು ಕೂಡುವುದು (5) ಒಬ್ಬ ಉಮೇದುವಾರನ ಚುನಾವಣೆಯು ನಡೆಯುವಂತೆ ಮಾಡುವುದಕ್ಕಾಗಲಿ, ಅದಕ್ಕೆ ಸಹಾಯಮಾಡುವುದಕ್ಕಾಗಲಿ, ಹಣವನ್ನು ಖರ್ಚುಮಾಡಕೂಡದಾದ ಸಂದರ್ಭಗಳಲ್ಲಿ ಹಣವನ್ನು ಖರ್ಚುಮಾಡುವುದು ಮತ್ತು (6) ಚುನಾವಣೆಯ ಲೆಕ್ಕಗಳನ್ನಿಡಬೇಕೆಂದು ವಿಧಾಯಕವಾಗಿರುವ ಸಂದರ್ಭಗಳಲ್ಲಿ ಆ ಲೆಕ್ಕಗಳನ್ನಿಡದೆ ತಪ್ಪುವುದು.

ನ್ಯಾಯವಿಧಾಯಕ ಸಭೆಗೂ ಮತ್ತು ಪ್ರಜಾಪ್ರತಿನಿಧಿಸಭೆಗೂ ಸದಸ್ಯರ ಚುನಾವಣೆಯು ನಡೆದುದರ ಸಂಬಂಧವಲ್ಲಿ ಹುಟ್ಟುವ ವಿವಾದಗಳನ್ನು ವಿಚಾರಣೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಈಗಿರತಕ್ಕ ನಿಬಂಧನೆಗಳ ಜೊತೆಗೆ IIನೆಯ ಭಾಗದಲ್ಲಿ ನಿಯಮಗಳನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ ಅಂತಹ ವಿಚಾರಣೆಗಾಗಿ ಸಾಕ್ಷಿಗಳು ಹಾಜರಾಗುವಂತೆಯೂ ಮತ್ತು ದಸ್ತಾವೇಜುಗಳನ್ನು ಹಾಜರ್ಪಡಿಸುವಂತೆಯೂ ಹುಕುಂ ಮಾಡುವುದೇ ಮುಂತಾದ ಅಧಿಕಾರಗಳನ್ನು, ಎಂದರೆ, ಒಂದು ಸಿವಿಲ್ ಕೋರ್ಟಿನವರಿಗೆ ಇರತಕ್ಕ ಅಧಿಕಾರಗಳನ್ನು, ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜಿಯವರಿಗೆ ವಹಿಸಲಾಗಿದೆ. ವಿಚಾರಣೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜಿಯವರಿಗೆ ಬದಲಾಗಿ, ಅವಶ್ಯವಿದ್ದಲ್ಲಿ, ಕಮಿಷನರುಗಳನ್ನು ನೇಮಕಮಾಡುವುದಕ್ಕೂ ಸಹ, ಅಧಿಕಾರವನ್ನು ವಹಿಸಿಕೊಳ್ಳಲಾಗಿದೆ

— ಒಂದು ಚುನಾವಣೆಯ ಸಂಬಂಧವಲ್ಲಿ ಲಂಚವನ್ನು ತೆಗೆದುಕೊಂಡಂತೆ, ಅಥವಾ ಕಾನೂನಿಗ ವಿರುದ್ಧವಾದ ಪ್ರೇರೇಪಣೆಯನ್ನು ಮಾಡಿರುವಂತೆ ತಪ್ಪು ಸಾಬೀತಾಗಿ ಶಿಕ್ಷೆಯು ವಿಧಿಸಲ್ಪಟ್ಟ ಮನುಷ್ಯರು ಒಂದು ಜ್ಯುಡಿಷಿಯಲ್ ಹುದ್ದೆಗೆ ಅಥವಾ ಇತರ ಹುದ್ದೆಗಳಿಗೆ ನೇಮಕವಾಗಲು ಅರಿಸಲ್ಪಡುವುದಕ್ಕೂ, ಒಂದು ಸ್ಥಳೀಯ ಅಧಿಕಾರ ಸಂಸ್ಥೆಯ ಒಬ್ಬರು ಮೆಂಬರಾಗಿರುವುದಕ್ಕೂ ಐದುವರ್ಷಗಳವರೆಗೆ ಅನರ್ಹರೆಂಬುದಾಗಿ ಹುಕುಂ ಸಾದರು ಮಾಡುವುದಕ್ಕೆ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಿ ಅವಕಾಶವನ್ನೂ ಕಲ್ಪಿಸಲಾಗಿದೆ ಆದರೆ, ಅಂತಹ ಯಾವುದಾದರೂ ಅನರ್ಹತೆಯಿಂದ ಅಂತಹ ಯಾವ ಮನುಷ್ಯನನ್ನಾದರೂ ಸರ್ಕಾರದವರು ವಿನಾಯಿಸಬಹುದಾಗಿದೆ

III

ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಮಸೂದಾ ಕಾನೂನಿನ ಮತ್ತು ಮೈಸೂರು ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ನನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಾಟುಮಾಡತಕ್ಕ ಮಸೂದಾ ಕಾನೂನಿನ ಸಾಮಾನ್ಯ ನಿಯಮಗಳ ವಿವರ

ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ನನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಾಟುಮಾಡತಕ್ಕ ಒಂದು ಮಸೂದಾ ಕಾನೂನನ್ನು 1926ನೆಯ ಇಸವಿ ಡಿಸೆಂಬರು ತಿಂಗಳಿನಲ್ಲಿ ನಡೆದ ನ್ಯಾಯವಿಧಾಯಕ ಸಭೆಯಲ್ಲಿ ಚರ್ಚೆಗೆ ತರಲಾಯಿತು (ಈ ಮಸೂದಾ ಕಾನೂನು ಈಚೆಗೆ 1927ನೆಯ ಇಸವಿಯ VIIIನೆಯ ನಂಬರಿನ ರೆಗ್ಯುಲೇಷನಾಗಿ ಮಂಜೂರಾಗಿದೆ) ಆ ಮಸೂದಾ ಕಾನೂನು ಚರ್ಚೆಯಲ್ಲಿದ್ದಾಗ್ಗೆ ಸರ್ಕಾರಿ ಉದ್ಯೋಗಸ್ಥರಲ್ಲದ ಕೆಲವು ಸದಸ್ಯರುಗಳು ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನಿನ ನಿಯಮಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಮೇಲ್ವಾಡುಗಳನ್ನು ಸಲಹೆಮಾಡುವುದಕ್ಕಾಗಿ ಒಂದು ಪ್ರತ್ಯೇಕವಾದ ಸಮಿತಿಯನ್ನು ನಿರ್ಮಿಸ

ಬೇಕೆಂದು ಸಲಹೆಮಾಡಿದರು. ಸರ್ಕಾರದವರು ಈ ಸಲಹೆಯನ್ನು ಅಂಗೀಕರಿಸಿದರು ಆದರೆ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ನನ್ನು ತಿದ್ದುಪಾಟುಮಾಡತಕ್ಕ ಒಂದು ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಿ, ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿ ಮೇಲ್ಪ್ರಾಡುಗಳನ್ನು ಪರ್ಯಾಲೋಚಿಸಲು ನೇಮಕವಾಗುವ ಸಮಿತಿಯವರಿಗೆ ಅದನ್ನೂ ಒಪ್ಪಿಸಿದಲ್ಲಿ ಅವರ ಕಲಸವು ಸುಲಭವಾಗುವುದೆಂದು ಸರ್ಕಾರದವರಿಗೆ ತೋರಿತು. ಅದಕ್ಕನುಸಾರವಾಗಿ ಈಗಿನ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ನನ್ನು ತಿದ್ದುಪಾಟುಮಾಡಲು ಒಂದು ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಲಾಯಿತು. ಅಲ್ಲದೆ, ಸಣ್ಣ ಪುಟ್ಟ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಸುಲಭವಾದ ಮತ್ತು ಸರಳವಾದ ಆಡಳಿತ ಕಾರ್ಯಗಳಿಗೆ ಈಗಿನ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನಿನ ನಿಯಮಗಳು ಅತ್ಯಂತ ತೊಡಕಾಗಿರುವುದರಿಂದ ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಕಾರ್ಯನಿರ್ವಾಹಕಾಧಿಕಾರಿಯೇ ಪ್ರತ್ಯೇಕವಾಗಿ ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಮಸೂದಾ ಕಾನೂನೊಂದನ್ನೂ ಸಹ, ರಚಿಸಲಾಯಿತು ಈ ಮಸೂದಾ ಕಾನೂನುಗಳ ಪರ್ಯಾಲೋಚನೆಗಾಗಿ ಒಂದು ಸಮಿತಿಯು 1928ನಯ ಇಸವಿ ಫೆಬ್ರವರಿ 24ನೆಯ ಮತ್ತು ಂ ಎಲ್ 4899–4907—ಮುನಿಸಿಪಲ್ 21–27–8ನೆಯ ನಂಬರಿನ ಸರ್ಕಾರಿ ಜ್ಞಾಪಕಪತ್ರದ ಮೇರೆಗೆ ನೇಮಕವಾಯಿತು. ಈ ಸಮಿತಿಯವರು ಕಲವು ವಿಚಾರಣೆಗಳನ್ನು ನಡೆಯಿಸಿ ಈ ಮಸೂದಾ ಕಾನೂನುಗಳನ್ನು ಪರಿಶೀಲಿಸಿದರು ಈಗ ಜಾರಿಯಲ್ಲಿರುವ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನು ಬೆಂಗಳೂರು ಮತ್ತು ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೆ ಮಾತ್ರವೇ ಅನ್ವಯಿಸುವಂತೆ ಮಾಡಿ, ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗಾಗಿಯೆ ಪ್ರತ್ಯೇಕವಾದ ರೆಗ್ಯುಲೇಷನೊಂದನ್ನು ರಚಿಸಬೇಕೆಂಬ ಸಲಹೆಯನ್ನೂ ಅವರು ಅನುಮೋದಿಸಿದರು. ಅಲ್ಲದೆ, ಅನುಭವದಿಂದ ಅವಶ್ಯವೆಂದು ಕಂಡುಬಂದ ನಿಯಮಗಳನ್ನೂ, ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿಯೂ ಇತರ ಕಡೆಗಳಲ್ಲಿಯೂ ಈಚಿನ ವರುಷಗಳಲ್ಲಿ ಮುನಿಸಿಪಲ್ ಆಡಳಿತದಲ್ಲಿ ನಡೆದಿರುವ ಅಭಿವೃದ್ಧಿಯ ದೃಷ್ಟ್ಯಾ ಸಮ್ಮ ಸಂಸ್ಥಾನದಲ್ಲಿಯೂ ಜಾರಿಗೆ ತರುವುದು ಯುಕ್ತವೆಂದು ತೋರಿದ ನಿಯಮಗಳನ್ನೂ ಇದೇ ಸಮಯದಲ್ಲಿ ಸಮಿತಿಯವರು ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ಸೇರಿಸಿದರು ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಮಸೂದಾ ಕಾನೂನಿನ ನಿಬಂಧನೆಗಳನ್ನು ರಚಿಸುವುದರಲ್ಲಿ, ಅವು ಕೂಡಿದ ಮಟ್ಟಿಗೂ, ಈಗಿನ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನಿನ ನಿಯಮಗಳಿಗೂ, ತಿದ್ದುಪಾಟು ಮಸೂದಾ ಕಾನೂನಿನ ನಿಯಮಗಳಿಗೂ ಸಹ, ಅನುಸಾರವಾಗಿರುವಂತೆ ರಚಿಸಲಾಗಿದೆ. ಕೇವಲ ಆವಶ್ಯಕವೆಂದು ತೋರಿದ ಅಂಶಗಳಲ್ಲಿ ಹೊರತು ಉಳಿದುವುಗಳಲ್ಲಿ ಯಾವುದೊಂದು ಬದಲಾವಣೆಯನ್ನೂ ಮಾಡಿಲ್ಲ. ಈ ಮಸೂದಾ ಕಾನೂನುಗಳಲ್ಲಿ ಅಡಕವಾಗಿರುವಂತೆ ಸಮಿತಿಯವರ ಸಲಹೆಗಳನ್ನು ಜಾರಿಗೆ ತರುವ ಕಾನೂನನ್ನು ರಚಿಸುವುದಕ್ಕೆ ಮುಂಚಿತವಾಗಿ ಸರ್ಕಾರದವರು ಸಮಿತಿಯವರಿಂದ ಸಲಹೆಯಾಗಿರುವ ಮುಖ್ಯವಾದ ಬದಲಾವಣೆಗಳನ್ನು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯ ಸದಸ್ಯರುಗಳಿಗೆ ಒಪ್ಪಿಸಿ, ಅವರ ಅಭಿಪ್ರಾಯಗಳನ್ನು ತಿಳಿಯಲಿಚ್ಛಿಸುತ್ತಾರೆ

I ಮೈಸೂರು ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನ್ನನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಾಟುಮಾಡತಕ್ಕ ಮಸೂದಾ ಕಾನೂನು —

ಈಗ ಜಾರಿಯಲ್ಲಿರುವ ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿ ಮಾಡಬೇಕೆಂದು ಸಲಹೆಯಾಗಿರುವ ಮುಖ್ಯವಾದ ಬದಲಾವಣೆಗಳು ಯಾವುವೆಂದರೆ :—

1 ಚೀಫ್ ಆಫೀಸರುಗಳು.

ಈಗ ಜಾರಿಯಲ್ಲಿರುವ ರೆಗ್ಯುಲೇಷನಿನ ಮೇರೆಗೆ, ಚೀಫ್ ಆಫೀಸರವರಾಗಲಿ ಅಥವಾ ಕಮಿಷನರವರಾಗಲಿ ನೇಮಕಮಾಡಲ್ಪಡದಿರುವ ಸಂದರ್ಭಗಳಲ್ಲಿ ವೈಸಿಸಿಪಲ್ ಕೌನ್ಸಿಲಿನವರೇ (ಪೌರಸಭೆಯವರೇ) ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಆಡಳಿತವನ್ನು ನಡೆಯಿಸಬೇಕಾಗಿದೆ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲಿನವರಾಗಲಿ ಅಥವಾ ಭಾರಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ನಾನಾ ಸಮಿತಿಗಳವರಾಗಲಿ ಪೌರಕಾರ್ಯನಿರ್ವಹಣೆಯಲ್ಲಿ ಯಾವ ರೀತಿ ನೀತಿಗಳನ್ನು ಅನುಸರಿಸಿ ಕಲಸ ನಡೆಯಿಸಬೇಕೆಂಬುದನ್ನು ನಿರ್ಧರಿಸುವುದಕ್ಕಿಂತ ಹೆಚ್ಚಿನದನ್ನು ಮಾಡುವುದೂ ಅವರಿಂದ ಸಾಧ್ಯವಿರುವುದಿಲ್ಲ ಸರ್ಕಾರಿ ಆಫೀಸರುಗಳಾಗಿರುವವರೇ ಈ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ಹೆಚ್ಚು ಸಂಖ್ಯೆಯವಕ್ಕೆ ತಪ್ಪ ಅಧಿಕಾರ ಪ್ರಯುಕ್ತ ಪ್ರೆಸಿಡೆಂಟರುಗಳಾಗಿದ್ದಾರೆ ಆದರೆ ಅವರಿಗೂ ಒಂದು ಕಷ್ಟವಿದೆ ಅವರು ಮುನಿಸಿಪಾಲಿಟಿಯ ಕೆಲಸಗಳಿಗೆ ವಿಶೇಷವಾಗಿ ಗಮನವನ್ನು ಕೊಡಲು ಅವರಿಗೆ ತಕ್ಕಷ್ಟು ವ್ಯವಧಾನವಿರುವುದಿಲ್ಲ ಆದಕಾರಣ ಈ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಕರ್ತವ್ಯಗಳನ್ನು ನಡೆಯಿಸುವುದಕ್ಕಾಗಿ ಕಾಯಂ ಸಿಬ್ಬಂದಿಯನ್ನು ಇಟ್ಟುಕೊಂಡಿರಬೇಕಾಗಿದೆ ಮತ್ತು ಈ ಬಗೆಯ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾರಿಗಳ ಅಧಿಕಾರಗಳನ್ನು ಹೆಚ್ಚು ಸ್ಪಷ್ಟವಾಗಿ ವಿವರಿಸುವುದೂ ಅವಶ್ಯಕವಾಗಿದೆ ಅಲ್ಲದೆ, ಆ ಬಗೆಯ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾರಿಗಳಲ್ಲಿ ಸಲಸಿರುವ ಅಧಿಕಾರಗಳನ್ನೆಲ್ಲ ಕಾಪೊಸಿನ ಮೂಲಕವೇ ಸ್ಪಷ್ಟವಾಗಿ ವಿಧಾಯಕಮಾಡಿ, ಜವಾಬ್ದಾರರಾದ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾರಿಗಳನ್ನು ನೇಮಕಮಾಡಿ ಆ ಮೂಲಕ ಸರಿಪಡಿಸುವ ಮೇಲ್ವಿಚಾರಣೆಯೂ, ಹತೋಟಿಯೂ ಇರುವಂತೆ ಏರ್ಪಡಿಸುವುದೂ ಸಹ, ಆವಶ್ಯಕವಾಗಿದೆ ಆದಕಾರಣ ವಿಶೇಷವಾದ ಕಾರಣಗಳಿಗಾಗಿ ಸರ್ಕಾರದವರು ಅನಿವಾರ್ಯವೆಂದು ಭಾವಿಸುವ ಸಂದರ್ಭಗಳಲ್ಲಿ ಹೊರತು, ಇತರ ಎಲ್ಲ ಸಂದರ್ಭಗಳಲ್ಲಿಯೂ ಚೀಫ್ ಆಫೀಸರವರನ್ನು ಕಡ್ಡಾಯ

ವಾಗಿ ನೇಮಕಮಾಡಲೀಬೇಕೆಂದು ವಿಧಿಸಲಾಗಿದೆ. ಚೀಫ್ ಆಫೀಸರವರು ನೇಮಿಸಲ್ಪಟ್ಟಲ್ಲಿ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾರವು ಸಾಮಾನ್ಯವಾಗಿ ಅವರಿಗೆ ಸೇರಿರುತ್ತದೆ ಅಲ್ಲದೆ 68B, 70 (1a) ಮತ್ತು (2), 76, 79 (3), (4) ಮತ್ತು (5), 81A (2) ಪರತ್ತಿನ ಕಲಮು, 82, 83, 84, 84B, 86A (2), 95, 96A, 97, 99, 117, 120, 126A, 131A (2), 136, 139 (3), 154 ಮತ್ತು 155, ಈ ಪ್ರಕರಣಗಳ ಮೇರೆಗೆ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲುಗಳಿಗೆ ಇರುವ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸುವುದಕ್ಕೂ ಚೀಫ್ ಆಫೀಸರವರಿಗೇ ಅಪ್ಪಣೆಯನ್ನು ಕೊಟ್ಟು ಅವರ ಅಧಿಕಾರಗಳನ್ನು ಹೆಚ್ಚಿಸಬೇಕೆಂತಲೂ ಉದ್ದೇಶಿಸಲಾಗಿದೆ. ಆದರೆ, ಈ ಸಂದರ್ಭಗಳಲ್ಲಿ ಚೀಫ್ ಆಫೀಸರವರ ಹುಕುಮುಗಳ ಮೇಲೆ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲಿಗೆ ಅಪೀಲು ಮಾಡುವುದಕ್ಕೆ ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ

2 ಮುನಿಸಿಪಾಲಿಟಿಯೆನ್ನು ಏರ್ಪಡಿಸಬೇಕಾದಲ್ಲಿ ಊರಿನಲ್ಲಿರಬೇಕಾದ ಕನಿಷ್ಠಾಂಶದ ಜನಸಂಖ್ಯೆ

ಪ್ರಜಾ ಸಂಖ್ಯೆಯು 5,000ಕ್ಕಿಂತಲೂ ಕಡಮೆಯಾಗಿರುವ ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೆ ಈಗ ಏರ್ಪಡಿಸಬೇಕೆಂದಿರುವ ಕಾನೂನು ಅನ್ವಯಿಸುವುದಿಲ್ಲ, ಆದಕಾರಣ ಮುನಿಸಿಪಾಲಿಟಿಗಳನ್ನು ಏರ್ಪಡಿಸಬೇಕಾಗಿರುವ ಸ್ಥಳಗಳಿಗೆ ವಿಧಾಯಕವಾಗಿದ್ದ ಕನಿಷ್ಠಾಂಶದ ಜನ ಸಂಖ್ಯೆಯನ್ನು 2,000 ದಿಂದ 5,000ಕ್ಕೆ ಹೆಚ್ಚಿಸಲಾಗಿದೆ

3 ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲುಗಳಲ್ಲಿ ಚುನಾಯಿಸಲ್ಪಟ್ಟ ಸದಸ್ಯರುಗಳು ಎಷ್ಟುಮಂದಿಗಿರಬೇಕೆಂಬ ವಿಚಾರ

ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲುಗಳಲ್ಲಿ ಚುನಾಯಿಸಲ್ಪಟ್ಟ ಸದಸ್ಯರುಗಳು, ಸದಸ್ಯರ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಕನಿಷ್ಠಪಕ್ಷ ಅರ್ಧದಷ್ಟಾದರೂ ಇರಬೇಕೆಂದು ಗೊತ್ತಾಗಿದ್ದಿತು ಈಗ ಅದನ್ನು ಮೂರನಯ ಎರಡು ಭಾಗದಷ್ಟಕ್ಕೆ ಹೆಚ್ಚಿಸಲಾಗಿದ

4 ವೋಟು ಕೊಡುವವರ ಮತ್ತು ಉಮೇದುವಾರರುಗಳ ಅರ್ಹತೆಗಳು

ವೋಟು ಕೊಡುವವರಿಗೂ ಉಮೇದುವಾರುಗಳಿಗೂ ಇರಬೇಕಾದ ಅರ್ಹತೆಗಳ ವಿಷಯವು ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿ ವಿವರಿಸಲ್ಪಟ್ಟಿದೆ ಇತರ ಸಂದರ್ಭಗಳಲ್ಲಿ ಇರಬೇಕಾದ ಅರ್ಹತೆಗಳು ಸರ್ಕಾರವೆಂದ ರಚಿಸಲ್ಪಡುವ ನಿಬಂಧನೆಗಳಿಗನುಸಾರವಾಗಿ ವಿಧಾಯಕವಾಗಿರುತ್ತವೆ ಇನ್ನು ಮುಂದೆ ವೋಟು ಕೊಡುವವರ ಮತ್ತು ಉಮೇದುವಾರರುಗಳ ಅರ್ಹತೆಗಳು ಸರ್ಕಾರದವರಿಂದ ರಚಿಸಲ್ಪಡುವ ನಿಬಂಧನೆಗಳಿಗನುಸಾರವಾಗಿ ವಿಧಾಯಕವಾಗುವಂತೆಯೇ ಬಿಟ್ಟುಬಿಡಬೇಕೆಂದೂ, ರೆಗ್ಯುಲೇಷನಿನ 12 ಮತ್ತು 21ನೆಯ ಪ್ರಕರಣಗಳನ್ನು ತೆಗೆದುಹಾಕಬೇಕೆಂದೂ ನಿರ್ಧರಿಸಲಾಗಿದೆ

5. ಚುನಾವಣೆಯ ಪಟ್ಟಿಯನ್ನು ಪ್ರಕಟಿಸುವುದು.

ಮುನಿಸಿಪಲ್ ಚುನಾವಣೆಯ ಪಟ್ಟಿಯನ್ನು ವರ್ಷ ವರ್ಷ ಪರಿಷ್ಕರಿಸುವುದೂ, ಅದನ್ನು ಪ್ರತಿವರ್ಷವೂ ಪ್ರಕಟಿಸುವುದೂ ಅನಾವಶ್ಯಕವೆಂದು ಭಾವಿಸಲಾಗಿದೆ ಮುನಿಸಿಪಲ್ ಚುನಾವಣೆಯ ಪಟ್ಟಿಯನ್ನು ಮೂರು ವರುಷಗಳಿಗೊಂದಾವರ್ತಿ ಮಾತ್ರ ತಯಾರು ಮಾಡಿ, ಹೊಸದಾಗಿ ಅರ್ಹತೆಯನ್ನು ಪಡೆದ ಜನರು ಯಾವ್ದೊಂದು ಚುನಾವಣೆಗೇ ಆಗಲಿ ಗೊತ್ತಾಗಿದ್ದುವ ತಾರೀಖಿಗೆ ಮುಂಚೆ ಬಂದು ತಿಂಗಳೊಳಗಾಗಿ ತಮ್ಮ ಹೆಸರುಗಳನ್ನು ಪಟ್ಟಿಯಲ್ಲಿ ದಾಖಲುಮಾಡಿಸಿಕೊಳ್ಳಲು ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಿದರೇ ಸಾಕೆಂದು ಭಾವಿಸಲಾಗಿದ

6 ಕೌನ್ಸಿಲರುಗಳಾಗುವುದಕ್ಕೆ ತಡೆಯಾಗಿರುವ ಅನರ್ಹತೆಗಳು ಕ್ಲುಪ್ತಕಾಲವು ಕಳೆದ ಮೇಲೆ, ಸರ್ಕಾರೀ ಹುಕುಮಿನ ಆವಶ್ಯಕತೆಯಿಲ್ಲದೆ, ತಮ್ಮಷ್ಟಕ್ಕೆ ತಾವೇ ತಪ್ಪಿಹೋಗುವುದು

ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನಿನ 15 (1) ನೆಯ ಪ್ರಕರಣದ ಮೇರೆಗೆ, ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ ಗೊತ್ತಾಗಿರುವ ಅನರ್ಹತೆಗಳ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರದವರು ತದ್ವಿರುದ್ಧವಾಗಿ ಹುಕುಂ ಸಾವರ್ನ್ಮಾದದೆ ಇದ್ದ ಪಕ್ಷದಲ್ಲಿ, ಅವುಗಳು ಮುಂದೆಯೂ ಆಚರಣೆಯಲ್ಲಿರುವುವು ; ಆದಕಾರಣ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೋರ್ಡಿನ ಸದಸ್ಯರುಗಳ ವಿಷಯದಲ್ಲಿ ಏರ್ಪಡಿಸಿರುವಂತೆ, ನಿರ್ದಿಷ್ಟವಾದ ಒಂದು ಅವಧಿಯು ಕಳೆದುಹೋದ ತರುವಾಯ ಅನರ್ಹತೆಗಳು ತಮಗೆ ತಾನೇ ತಪ್ಪಿಹೋಗುವಂತೆ ಮಾಡಬೇಕೆಂದೂ, ಅನರ್ಹತೆಗಳ ವಿಷಯಕವಾದ ನಿಯಮಗಳು ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೋರ್ಡುಗಳ ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿ ವಿಧಾಯಕವಾಗಿರುವ ನಿಯಮಗಳಿಗನುಸಾರವಾಗಿರುವಂತೆ ಮಾಡಬೇಕೆಂದೂ, ನಿರ್ಧರಿಸಲಾಗಿದೆ

7 ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಸದಸ್ಯರುಗಳನ್ನು ವಜಾ ಮಾಡುವುದು

ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಸದಸ್ಯರನ್ನು ಅವರ ಸದಸ್ಯತನದಿಂದ ವಜಾ ಮಾಡುವುದಕ್ಕೆ ಮೊದಲು, ಅವರು ತಮ್ಮ ಸಮಜಾಯಿಷಿಯಿದ್ದಪಕ್ಷ ಅದನ್ನು ಸಲ್ಲಿಸುಕೂಲಿಸುವಂತೆ ತನಿಖೆ ನಡೆಯಿಸಿ ಅವರಿಗೆ ಇದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸುವುದು ಅವಶ್ಯಕವೆಂದು ಭಾವಿಸಲಾಗಿದೆ

8. ಚುನಾವಣೆಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿವಾದಗಳು [illegible]

ಮುನಿಸಿಪಲ್ ಚುನಾವಣೆಗಳ ವಿಷಯದಲ್ಲಿ ಕೇವಲ ಇತರರಿಗೆ ತೊಂದರೆಯೆನ್ನುವುದನ್ನು ತಪ್ಪಿಸುವುದು ಆವಶ್ಯಕವಾಗಿದೆ ಆದಕಾರಣ ಚುನಾವಣೆಗಳ ಸ್ಥಳೀಯ ವಿವಾದಗಳನ್ನು ಹೂಡುವುದನ್ನು ಪ್ರತಿಯೊಬ್ಬ ಉಮೇದುವಾರನಾಗಲಿ ಅಥವಾ ಚುನಾವಣೆಯಲ್ಲಿ ವೋಟುಕೊಡಲು ಅರ್ಹತೆಯನ್ನು ಪಡೆದವರಲ್ಲಿ ಕಡೆಯ ಪಕ್ಷ 10 ಜನರಾಗಲಿ, ಮುನಿಸಿಪಲ್ ಚುನಾವಣೆಯು ನ್ಯಾಯಸಮ್ಮತವಾಗಿ ನಡೆಯಲಿಲ್ಲವೆಂಬುದನ್ನು ಸೂಚಿಸಿ ವಿವಾದವನ್ನು ನಡೆಸುವಂತೆಯೂ, ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಬೋರ್ಡುಗಳಿಗಾಗಿ ನಡೆಸಲ್ಪಡುವ ಚುನಾವಣೆಗಳ ವಿಷಯದಲ್ಲಿ ವಿಧಿಸಿರುವ ಹಾಗೆ, ಅರ್ಜಿಯ ಜೊತೆಯಲ್ಲಿ ಮೊಬಲಗನ್ನು ರೋಹಿಣಿ ಕಟ್ಟುವಂತೆಯೂ ವಿಧಾಯಕಮಾಡುವುದು ಆವಶ್ಯಕವೆಂದು ಭಾವಿಸಿದೆ ಚುನಾವಣೆಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿವಾದಗಳಲ್ಲಿ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜಿಯವರು ಕೊಟ್ಟ ತೀರ್ಮಾನದ ಸಂಬಂಧದಲ್ಲಿ ಯಾವುವಾದರೂ ಕಾನೂನಿನ ಅಂಕಗಳು (ಲಾ ಪಾಯಿಂಟುಗಳು) ಅಡಕವಾಗಿದ್ದು ಅವುಗಳ ಇತ್ಯರ್ಥಕ್ಕನುಗುಣವಾಗಿ ವಿವಾದದ ತೀರ್ಮಾನವು ಮಾರ್ಪಡುವ ಸಂಭವ ವಿರುವ ಸಂದರ್ಭಗಳಲ್ಲಿ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜಿಯವರ ತೀರ್ಮಾನದ ಮೇಲೆ ಹೈಕೋರ್ಟಿಗೆ ಅಪೀಲು ಮಾಡುವು ದಕ್ಕೂ ಸಹ, ನಿಯಮವನ್ನು ವಿರ್ಪಡಿಸಿದೆ ವೋಟು ಕೊಡುವವರು ಒಟ್ಟುಗೂಡಿ ಪ್ರೆಸಿಡೆಂಟರನ್ನು ಚುನಾ ಯಿಸುವ ಸಂದರ್ಭಕ್ಕೆ 22ನೆಯ ಪ್ರಕರಣವೂ ಸಹ ಅನ್ವಯಿಸುವಂತೆ ಮಾಡಿದ ಇದಲ್ಲದೆ, ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಸದಸ್ಯರುಗಳನ್ನಾಗಲಿ ಅಥವಾ ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳನ್ನಾಗಲಿ ನೇಮಕ ಮಾಡಿದುದಕ್ಕೆ ಸಂಬಂಧಪಡುವ ವಿಷಯಗಳನ್ನು ಕುರಿತ ಸಿವಿಲ್ ದಾವೆಗಳು— ನಿಬಂಧನೆಗಳಲ್ಲಿ ಅವುಗಳಿಗೆ ವಿಶೇಷರೀತಿಯಲ್ಲಿ ಅವಕಾಶವೇರ್ಪಟ್ಟಿರುವ ಸಂದರ್ಭಗಳಲ್ಲಿ ಹೊರತು, ಇತರ ಸಂದ ರ್ಭಗಳಲ್ಲಿ—ನಡೆಯದಂತೆ ಅಡ್ಡಿಪಡಿಸುವುದು ಆವಶ್ಯಕವೆಂದು ಭಾವಿಸಿದೆ

9. ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಮತ್ತು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಚುನಾವಣೆ

ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟನ ನೇಮಕದ ವಿಷಯವನ್ನು ಸರ್ಕಾರದವರ ವಿವೇಚನೆಗೆ ಬಿಡುವುದಕ್ಕೆ ಬದಲಾಗಿ ಮುನಿಸಿಪಲ್ ಸಭೆಯವರ ವಿವೇಚನೆಗೆ ಬಿಡುವಂತೆ ವಿರ್ಪಡಿಸಬೇಕೆಂದು ನಿರ್ಧರಿಸಿದೆ ಸಂಬಳವನ್ನು ಪಡೆ ಯುವ ಸರ್ಕಾರಿ ನೌಕರರು ಪ್ರೆಸಿಡೆಂಟರುಗಳಾಗಿಯೂ ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳಾಗಿಯೂ ಚುನಾಯಿಸಲ್ಪಡ ತಕ್ಕುದಲ್ಲವೆಂದು ನಿರ್ದಿಷ್ಟವಾಗಿ ನಿಯಮವನ್ನೇರ್ಪಡಿಸಿದ ಮುನಿಸಿಪಲ್ ಸಭೆಯಿಂದ ಚುನಾಯಿಸಲ್ಪಟ್ಟ ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಮತ್ತು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಕಲಸದ ಅವಧಿಯು ಅವರು ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಸದಸ್ಯ ರಾಗಿರುವಷ್ಟಕಾಲವೂ ನಡೆದು ಬರತಕ್ಕದ್ದೆಂದು ಈಗ ಗೊತ್ತಾಗಿದೆ ಇನ್ನುಮುಂದೆ ಇದನ್ನು ಬಂದು ವೆರುಷಕ್ಕೆ ಪರಿಮಿತಗೊಳಿಸಿ ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ.

10 ಪ್ರೆಸಿಡೆಂಟರುಗಳು ಮತ್ತು ವೈಸ್‌ಪ್ರೆಸಿಡೆಂಟರುಗಳು ತಮ್ಮ ಸ್ಥಾನವನ್ನು ಬಿಟ್ಟುಕೊಡುವುದು

--ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ವೈಸ್‌ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ತಮ್ಮ ಸ್ಥಾನವನ್ನು ತಾವಾಗಿಯೇ ಬಿಟ್ಟುಕೊಡಲು ಈಗಿನ ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿ ನಿಬಂಧನೆಯಾವುದೂ ಇರುವುದಿಲ್ಲ ಆದಕಾರಣ, ಮೆಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ಈಗ ನಿಬಂಧನೆಯನ್ನೇರ್ಪಡಿಸಿ, (1) ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಮತ್ತು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಅವರ ಸ್ಥಾನಗ ಳನ್ನು ಬಿಟ್ಟು ಬಿಡಬೇಕೆಂಬ ನಿರ್ಣಯವೊಂದನ್ನು ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಸದಸ್ಯರ ಒಟ್ಟು ಸಂಖ್ಯೆಯ ಪೈಕಿ ಮೂರರಲ್ಲಿ ಎರಡರಷ್ಟು ಭಾಗಕ್ಕೆ ಕಡಿಮೆ ಇಲ್ಲದಷ್ಟು ಮಂದಿ ಸಭಿಕರು ಮಂಜೂರುಮಾಡಿದರೆ ಅದು ನಡೆದೊ ಡನೆಯೂ, (2) ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಮತ್ತು ವೈಸ್‌ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಅವರ ಸ್ಥಾನಗಳನ್ನು ಬಿಟ್ಟು ಬಿಡಬೇ ಕೆಂಬ ನಿರ್ಣಯವು ಸಭಿಕರ ಒಟ್ಟು ಸಂಖ್ಯೆಯ ಪೈಕಿ ಮೂರರಲ್ಲಿ ಎರಡರಷ್ಟು ಭಾಗಕ್ಕೆ ಕಡಿಮೆ ಇಲ್ಲದಷ್ಟು ಮಂದಿ ಸದಸ್ಯರಿಂದ ಮತ್ತು ವೈಸ್‌ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಅವರ ಸ್ಥಾನಗಳನ್ನು ಬಿಟ್ಟು ಬಿಡಬೇ ಮಂದಿ ಸದಸ್ಯರಿಂದ ಮಂಜೂರಾಗದೆ ಇನ್ನೂ ಕಡಿಮೆ ಸಂಖ್ಯೆಯ ಸದಸ್ಯರಿಂದ ಅದು ಮಂಜೂರಾಗಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಆ ತರುವಾಯ ಬಂದು ತಿಂಗಳಿಗೆ ಕಡಿಮೆಯಿಲ್ಲದಷ್ಟು ಅವಧಿಯು ಕಳೆದ ನಂತರ ಆ ರೀತಿ ಅವರು ಸ್ಥಾನಗಳನ್ನು ಬಿಟ್ಟು ಬಿಡಬೇಕೆಂಬ ವಿಚಾರದಲ್ಲಿ ಎರಡನೆಯ ಸಾರಿ ನಿರ್ಣಯವು ಮಂಜೂರಾದ್ದೊಡನೆಯೂ, ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಮತ್ತು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಅವರಸ್ಥಾನಗಳನ್ನು ಬಿಟ್ಟು ಬಿಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಬೇಕೆಂಬುದಾಗಿ ಉದ್ದೇಶಿಸಲಾಗಿದೆ

11 - ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾರಗಳು

ಈ ರೆಗ್ಯುಲೇಷನಿನ ಮೇರೆಗೆ ಆಡಳಿತ ನಡೆಸತಕ್ಕ ಎಲ್ಲ ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೂ ಸಾಮಾನ್ಯವಾಗಿ ಒಬ್ಬ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಆಫೀಸರನ್ನು ನೇಮಕಮಾಡುವುದರಿಂದ, ಸಾಮಾನ್ಯವಾಗಿ ಪ್ರೆಸಿಡೆಂಟರಿಗೆ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾ ರಗಳನ್ನು ವಹಿಸಬೇಕಾದ ಆವಶ್ಯಕತೆ ಇರುವುದಿಲ್ಲ ಆದರೆ, ಕೆಲವು ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೆ ಚೀಫ್ ಆಫೀಸ

ಮುನಿಸಿಪಲ್ ಕಮಿಷನರಾಗಲಿ ಇಲ್ಲದೆ ಹೋಗಿರುವ ಸಂದರ್ಭಗಳೂ ಇರಬಹುದು ; ಇಂಥ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ವಿಷಯದಲ್ಲಿ ಸಿಟಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ಮುನಿಸಿಪಲ್ ಕಮಿಷನರವರೂ ಮತ್ತು ಇತರ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ಚೀಫ್ ಆಫೀಸರವರೂ ಚಲಾಯಿಸತಕ್ಕ ಎಲ್ಲ ಅಧಿಕಾರಗಳನ್ನೂ ಚಲಾಯಿಸಲು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳಿಗೆ ಅಧಿಕಾರ ಕೊಡುವುದು ಅವಶ್ಯವೆಂದು ಭಾವಿಸಲಾಗಿದೆ

ಕೆಲವು ಮುನಿಸಿಪಲ್ ಸಭೆಗಳಿಗೆ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರಾಗಲಿ, ಅಮಲ್ದಾರರಾಗಲಿ ಅಥವಾ ಡೆಪ್ಯುಟಿ ಅಮಲ್ದಾರರಾಗಲಿ ಅಧಿಕಾರ ಪ್ರಯುಕ್ತ ("ex officio") ಪ್ರೆಸಿಡೆಂಟರಾಗಿರುತ್ತಾರೆ ; ಲ್ಯಾಂಡ್ ರೆವಿನ್ಯೂ ಕೋಡಿನ 9 ಮತ್ತು 13ನೆಯ ಪ್ರಕರಣಗಳ ನಿಯಮಗಳನ್ನು ಈ ಸಂದರ್ಭದಲ್ಲಿ ಗಮನಿಸದೆಯೇ ಇಂಥ ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಗೈರುಹಾಜರಿಯಲ್ಲಿ ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಲು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರಿಗೆ ಅಧಿಕಾರ ಕೊಡುವುದು ಆವಶ್ಯಕವಾಗಿದೆ ಪ್ರಕೃತದಲ್ಲಿ ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಕರ್ತವ್ಯಗಳು ಎಲ್ಲ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿಯೂ ಒಂದೇ ವಿಧವಾಲ್ಲ ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಅಧಿಕಾರಗಳನ್ನು ಮತ್ತಷ್ಟು ನಿರ್ದಿಷ್ಟವಾಗಿ ಗೊತ್ತುಮಾಡುವ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರು ವಹಿಸುವಂತೆ ನಿರ್ಧರಿಸಲಾಗಿದೆ

12 ಮುನಿಸಿಪಲ್ ಸಭೆಗಳ ಮೀಟಿಂಗುಗಳು

ಸ್ಪೆಷಲ್ ಮೀಟಿಂಗುಗಳನ್ನು ನಡೆಯಿಸಬೇಕೆಂಬುದಾಗಿ ಯುಕ್ತರೀತಿಯಲ್ಲಿ ಕೇಳಿಕೊಂಡಾಗಲೂ ಸಹ ಸ್ಪೆಷಲ್ ಮೀಟಿಂಗುಗಳನ್ನು ನಡೆಯಿಸಲು ವಿಶೇಷವಾಗಿ ಕಾಲವಿಳಂಬವಾಗುವುದೆಂದು ಆಕ್ಷೇಪಣೆಗಳು ಸರ್ಕಾರದವರಿಗೆ ತಲಪಿದುತ್ತವೆ ಸ್ಪೆಷಲ್ ಮೀಟಿಂಗನ್ನು ನಡೆಯಿಸಬೇಕೆಂದು ಅರ್ಜಿಯನ್ನು ಹಾಜರ್ಮಾಡಿದ 15 ದಿವಸಗಳ ಒಳಗಾಗಿ ಪ್ರೆಸಿಡೆಂಟರು ಮೀಟಿಂಗನ್ನು ನಡೆಯಿಸದಿದ್ದಲ್ಲಿ, ಸ್ಪೆಷಲ್ ಮೀಟಿಂಗೊಂದನ್ನು ನಡೆಸಲು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟರಿಗೆ ಅಥವಾ ಸಭಿಕರ ಒಟ್ಟು ಸಂಖ್ಯೆಯ ಪೈಕಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಮೂರನೇ ಒಂದು ಭಾಗದಷ್ಟು ಸದಸ್ಯರಿಗೆ ಅಧಿಕಾರವನ್ನು ಕೊಡಬೇಕೆಂದು ಉದ್ದೇಶಿಸಲಾಗಿದೆ ಟವ್ನ್ ಮತ್ತು ಮುನರಿ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳ ಮೀಟಿಂಗುಗಳನ್ನು ನಡೆಯಿಸಬೇಕಾದರೆ, ಆ ಸಭೆಗಳ ಒಟ್ಟು ಸದಸ್ಯರ ಪೈಕಿ ಕನಿಷ್ಠ ಪಕ್ಷ ಅರ್ಧದಷ್ಟು ಸದಸ್ಯರುಗಳು ಹಾಜರಿದ್ದು ಹೊರತು ನಡೆಯಿಸಕೂಡದೆಂದು ಈಗ ನಿಬಂಧನೆಯಿದೆ ಹೀಗೆ ಗೊತ್ತಾಗಿರುವ ಕನಿಷ್ಠ ಪರಿಮಿತಿಯ ಸಂಖ್ಯೆಯು (ಕೋರಂ ಸಂಖ್ಯೆಯು) ಅತಿ ಹೆಚ್ಚಾಗಿರುತ್ತದೆ ; ಆದುದರಿಂದ, ಸಿಟಿ ಮತ್ತು ಟವ್ನ್ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲುಗಳ ಮೀಟಿಂಗುಗಳನ್ನು ನಡೆಯಿಸುವ ವಿಷಯದಲ್ಲಿ ಒಂದೇ ವಿಧವಾದ ಕನಿಷ್ಠ ಪರಿಮಿತಿಯ ಸಂಖ್ಯೆಯನ್ನು ("ಕೋರಂ" ಸಂಖ್ಯೆಯನ್ನು) ವಿಧಿಸುವುದು ಆವಶ್ಯಕವಾಗಿರುತ್ತದೆ, ಆದ ಕಾರಣ ಇವುಗಳ ವಿಷಯದಲ್ಲಿ ಸದಸ್ಯರುಗಳ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಮೂರನೇ ಒಂದು ಭಾಗವೇ "ಕೋರಂ" ಸಂಖ್ಯೆಯಾಗಿರತಕ್ಕುದೆಂದು ಈಗಿನ ಮಸೂದಾ ಕಾನೂನಿನ ಪ್ರಕಾರ ಗೊತ್ತುಮಾಡಿದೆ ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನಿನ 26 (14) (a) ಪ್ರಕರಣದಲ್ಲಿ ನಮೂದಿಸಿರುವ ಕೆಲವು ಸರ್ಕಾರಿ ಆಫೀಸರುಗಳಿಗೆಮಾತ್ರ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳ ಮೀಟಿಂಗುಗಳಿಗೆ ಹಾಜರಾಗಲು ಈಗ ಅಧಿಕಾರವಿದೆ ಇನ್ನು ಮುಂದೆ ಸರ್ಕಾರದವರು ಈ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರದವರು ಪ್ರಕಟಿಸುವ ಯಾವ ಆಫೀಸರಿಗಾದರೂ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲುಗಳ ಮೀಟಿಂಗುಗಳಿಗೆ ಹಾಜರಾಗಲು ಅಧಿಕಾರ ವಿರುವಂತೆ ಏರ್ಪಡಿಸಲು ಸರ್ಕಾರದವರಿಗೆ ಅಧಿಕಾರವಿರುವಂತೆ ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

13 ಕಂಟ್ರಾಕ್ಟುಗಳು

1,000 ರೂಪಾಯಿಗಳಿಗೆ ಮೇಲ್ಪಟ್ಟ ಕಾಮಗಾರಿಗಳನ್ನು ನಡೆಯಿಸುವುದಕ್ಕಾಗಿ ಸ್ಕಾಮಾನುಗಳನ್ನು ಸರಬರಾಯಿಮಾಡಲು ಮುನಿಸಿಪಾಲಿಟಿಗಳು "ಟೆಂಡರು" ದರಖಾಸ್ತುಗಳನ್ನು ಬರಮಾಡಿಕೊಳ್ಳುವಂತೆಯೂ 10,000 ರೂಪಾಯಿಗಳಿಗೆ ಮೇಲ್ಪಟ್ಟ ವಿಚ್ಛಕ್ತವಾಗುವ ಕಾಮಗಾರಿಗಳ ವಿಷಯದಲ್ಲಿ "ಟೆಂಡರು" ದರಖಾಸ್ತುಗಳನ್ನು ಅಂಗೀಕರಿಸಲು ಸರ್ಕಾರದವರ ಮಂಜೂರಾತಿಯನ್ನು ಪಡೆಯುವಂತೆಯೂ, ಮಾಡುವುದು ಆವಶ್ಯಕ ; ಚರಸ್ವತ್ತುಗಳನ್ನು ಕೊಂಡುಕೊಳ್ಳುವ ಮತ್ತು ಮಾರಾಟ ಮಾಡುವ ವಿಷಯದಲ್ಲಿಯೂ ಮತ್ತು ಸ್ಥಿರಸ್ವತ್ತುಗಳನ್ನು ವರ್ಗಾಯಿಸುವ ವಿಷಯದಲ್ಲಿಯೂ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳ ಅಧಿಕಾರಗಳು ಅತ್ಯಲ್ಪವಾಗಿವೆ, ಈ ಕಾರಣದಿಂದ ಸಿಟಿ ಮತ್ತು ಟವ್ನ್ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳಿಗೆ 2,000 ರೂಪಾಯಿಗಳವರೆಗೂ ಮತ್ತು ಇತರ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳಿಗೆ 1,000 ರೂಪಾಯಿಗಳವರೆಗೂ ಚರಸ್ವತ್ತುಗಳನ್ನು ಕೊಂಡುಕೊಳ್ಳುವುದಕ್ಕೂ ಮತ್ತು ಮಾರಾಟ ಮಾಡುವುದಕ್ಕೂ ಮತ್ತು ಸ್ಥಿರಸ್ವತ್ತುಗಳನ್ನು ವರ್ಗಾಯಿಸುವುದಕ್ಕೂ ಅಧಿಕಾರವನ್ನು ಹೆಚ್ಚಿಸಬೇಕೆಂದು ಉದ್ದೇಶಿಸಲಾಗಿದೆ

14 ಮುನಿಸಿಪಲ್ ಸದಸ್ಯರ ಆಫೀಸರುಗಳ ವತ್ತು ನೌಕರರ ಜವಾಬ್ದಾರಿಗಳು

ಪ್ರಕೃತದಲ್ಲಿ ಮುನಿಸಿಪಲ್ ಫಂಡನ್ನು ಅಯುಕ್ತ ರೀತಿಯಲ್ಲಿ ವಿನಿಯೋಗಮಾಡಿದರೆ ಮುನಿಸಿಪಲ್ ಸದಸ್ಯರುಗಳೂ ಮತ್ತು ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಖುದ್ದಾಗಿ ಜವಾಬ್ದಾರರಾಗಿರುತ್ತಾರೆ. ಇವರುಗಳ ಅಲಕ್ಷ್ಯ ಅಥವಾ

ದುರ್ವರ್ತನೆಯ ಫಲಿತಾಂಶವಾಗಿ ಮುನಿಸಿಪಲ್ ಹಣಕ್ಕೆ ಅಥವಾ ಸ್ವತ್ತಿಗೆ ಉಂಟಾಗತಕ್ಕ ನಷ್ಟವನ್ನು ಅಂಥ ಹಣವನ್ನು ಅಥವಾ ಸ್ವತ್ತನ್ನು ಪೋಲು ಮಾಡಿದುದಕ್ಕೂ ಸಹ ಇವರುಗಳು ಹೀಗೆಯೇ ಜವಾಬ್ದಾರರಾಗಿರುವಂತೆ ಮಾಡಬೇಕಾದುದು ಅವಶ್ಯಕ ಈಗಿನ ಪದ್ಧತಿಯ ಮೇರೆಗೆ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲಿನ ಅಧ್ಯಕ್ಷರು ಲಿಗಳೇ ಮುಂತಾದ ಜರೂರು ಅವಶ್ಯಕವಾದ ನೌಕರ ಸಿಬ್ಬಂದಿಯವರು ತಾವು ಕೆಲಸಕ್ಕೆ ರಾಜೀನಾಮೆಯನ್ನು ಕೊಡುವುದಕ್ಕೆ ಪೂರ್ವಭಾವಿಯಾಗಿ ನೋಟೀಸೇನನ್ನೂ ಕೊಡಬೇಕಾಗಿಲ್ಲ, ಇದರಿಂದ ಜನರು ಒಮ್ಮೆಲೆ ದೊಮ್ಮೆ ಮುಷ್ಕರ ಹಿಡಿದು ಕೆಲಸಕ್ಕೆ ಬಾರದೆ ಹೋಗುವುದರಿಂದ ಮುನಿಸಿಪಲ್ ಕೆಲಸವು ಸರಿಯಾಗಿ ನಡೆಯುವುದಕ್ಕೆ ಅಡಚಣೆಯು ಒದಗಬಹುದಾಗಿದೆ, ಇಂಥ ಅನಾನುಕೂಲಗಳು ಸಂಭವಿಸದಿರುವಂತೆ ಮಾಡಲು ಇವರುಗಳು ಕೆಲಸಕ್ಕೆ ರಾಜೀನಾಮೆ ಕೊಡುವುದಕ್ಕೆ ಒಂದು ತಿಂಗಳು ಮುಂಚೆ ತಮ್ಮ ಇರಾದೆಯನ್ನು ಸೂಚಿಸಿ ಮುನಿಸಿಪಾಲಿಟಿಗೆ ನೋಟೀಸನ್ನು ಕೊಡಬೇಕೆಂದು ಗೊತ್ತುಮಾಡಿ ಹೀಗೆ ನೋಟೀಸನ್ನು ಕೊಡದೆ ತಪ್ಪಿದವರನ್ನು ದಂಡನೆಗೆ ಗುರಿಪಡಿಸತಕ್ಕದ್ದು ಅವಶ್ಯಕವಾಗಿದೆ

15 ನಿಬಂಧನೆಗಳು ಮತ್ತು ಉಪನಿಬಂಧನೆಗಳು (ಬೈಲಾಗಳು)

ಮುನಿಸಿಪಲ್ ನೌಕರರು ಮೊತಪಟ್ಟಿ. ಅವರ ಸಮಿಾಪಬಂದುಗಳಿಗೆ "ಕಂಪೇಷನೇಟಿಂಗ್ ಗ್ರಾಚುಯಿಟಿ" ಪೊಬಲಗೆನ್ನು ಕೊಡಲು ನಿಬಂಧನೆಯನ್ನೇರ್ಪಡಿಸಲು ಮುನಿಸಿಪಲ್ ರೆಗ್ಯುಲೇಷನಿನ ಮೇರೆಗೆ ಅವಕಾಶವಿಲ್ಲ. ಈ ವಿಚಾರದಲ್ಲಿ ಸರ್ಕಾರಿನೌಕರರಿಗೆ ದೊರೆಯುವ ಪ್ರಯೋಜನವು ಮುನಿಸಿಪಲ್ ನೌಕರರಿಗೂ ದೊರೆಯುವಂತೆ ಅವಶ್ಯಕವಾದ ನಿಬಂಧನೆಯನ್ನೇರ್ಪಡಿಸಲಾಗಿದೆ

ನಾನಾ ಸ್ಥಳಗಳಲ್ಲಿಯೂ ವಸೂಲಾಗುವ ತೆರಿಗೆಗಳಲ್ಲಿ ಹೆಚ್ಚು ಕಡಿಮೆಯೇನೂ ಇಲ್ಲದೆ, ಎಲ್ಲ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರೂ ಒಂದೇ ಸಮವಾಗಿ ತೆರಿಗೆಗಳನ್ನು ವಸೂಲು ಮಾಡುವಂತೆಯೂ ಮತ್ತು ತೆರಿಗೆಗಳ ವಸೂಲಾತಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಇತರ ವಿಚಾರಗಳಲ್ಲಿ ಎಲ್ಲ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ನಡವಳಿಕೆಯೂ ಒಂದೇ ಸಮವಾಗಿರುವಂತೆಯೂ ಮಾಡುವುದಕ್ಕೋಸ್ಕರ ಸರ್ಕಾರದವರು ಈ ವಿಷಯದಲ್ಲಿ ನಿಯಮಗಳನ್ನು ಏರ್ಪಡಿಸುವ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರು ವಹಿಸುವುದು ಅವಶ್ಯಕವಾಗಿದೆ ಮುನಿಸಿಪಲ್ ತೆರಿಗೆಗಳು ವಿಧಿಸಲ್ಪಡಬಹುದಾದ ಬಂಡಿಗಳು ಮುಂತಾದ ವಿಶಿಷ್ಟ ವಾಹನಗಳಿಗೂ ಸಂಬಂಧಪಟ್ಟಂತೆ ಹಾಕಿಸಿಕೊಳ್ಳುವುದು ಮತ್ತು ಅವುಗಳನ್ನು ನಿರ್ಬಂಧಿಸಿಕೊಳ್ಳುವುದು, ನಿಯತವಾದ ಅವಧಿಗಳಲ್ಲಿ ಪಾವತಿಯಾಗುವಂತೆ ಕಟ್ಟಲ್ಪತ್ತವಾದ ತೆರಿಗೆಯನ್ನು ವಿಧಿಸುವುದು ಮತ್ತು ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಅಧಿಕಾರಕ್ಕೆ ಒಳಪಟ್ಟ ಪಬ್ಲಿಕ್ ಪಾರ್ಕುಗಳು ಮತ್ತು ಬಹಿರಂಗವಾದ ಬಯಲು ಪ್ರದೇಶಗಳು, ಇವುಗಳನ್ನು ಕ್ರಮಪಡಿಸುವ ಏರ್ಪಾಡುಗಳನ್ನು ಕೈಕೊಳ್ಳುವುದು. ಈ ವಿಷಯಗಳೆಲ್ಲವೂ ಸಹ, ನಿಬಂಧನೆಗಳನ್ನೇರ್ಪಡಿಸುವುದು ಅವಶ್ಯಕ, ಮೈಸೂರಾ ಕಾನೂನಿನಲ್ಲಿ ಈ ರೀತಿ ನಿಬಂಧನೆಗಳನ್ನು ರಚಿಸಲಾಗಿದೆ.

16. ಮುನಿಸಿಪಲ್ ಸಭೆಗಳ ಕರ್ತವ್ಯಗಳು

ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ತಮ್ಮ ವಿವೇಚನಾನುಸಾರ ನಡೆಯಿಸಬಹುದಾದ ಕರ್ತವ್ಯಗಳನ್ನು ಇನ್ನೂ ಸ್ವಲ್ಪ ಹೆಚ್ಚುಮಾಡಬೇಕಾದುದು ಆವಶ್ಯಕ, ಆದುದರಿಂದ ಈ ಕೆಳಗೆ ಕಂಡ ಕರ್ತವ್ಯಗಳನ್ನೂ ಸೇರಿಸಲು ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗಿದೆ —

(a) ಮುನಿಸಿಪಲ್ ನೌಕರರ ಸಹಾಯಾರ್ಥವಾಗಿ ಪರಸ್ಪರ ಸಹಾಯ ಸಂಘಗಳನ್ನು ಏರ್ಪಡಿಸುವುದು, ಮತ್ತು, ಬಡಜನರೂ ಮತ್ತು ಕೂಲಿಗಾರ ಜಂಗಮದಾಸರೂ ಮೆನೆಗಳನ್ನು ಕಟ್ಟಿಕೊಳ್ಳುವುದಕ್ಕೆ ಮುಂತಾವೆ ವಿಚಾರಗಳಲ್ಲಿ ಅವರಿಗೆ ಸಹಾಯ ಮಾಡುವ ಉದ್ದೇಶವಿರತಕ್ಕ ಸಂಘಗಳನ್ನು ಏರ್ಪಡಿಸುವುದು

(b) ಜನಗಳಿಗೆ ಟೆಲಿಫೋನ್ ಮತ್ತು ಸಂಚಾರ ಸೌಕರ್ಯಗಳನ್ನು ಒದಗಿಸಿ ಕೊಡುವುದು, ಮತ್ತು ಸಾರ್ವಜನಿಕ ಕಾರ್ಯಗಳಿಗೂ, ಮತ್ತು ಖಾಸಗಿ ಜನರ ಪ್ರಯೋಜನಕ್ಕೂ ವಿದ್ಯುಚ್ಛಕ್ತಿಯು ದೀಪಗಳನ್ನು ದೊರೆಯಿಸಿಕೊಟ್ಟು, ಯಂತ್ರ ಮುಂತಾದುವುಗಳಿಗೂ ವಿದ್ಯುಚ್ಛಕ್ತಿಯು ಒದಗುವಂತೆ ಏರ್ಪಾಡು ಮಾಡುವುದು.

(c) ಆಕಸ್ಮಿಕಗಳೇ ಮುಂತಾದುವು ಸಂಭವಿಸಿ ಹಿಂಸೆಗೊಳಗಾದವರನ್ನು ಚಿಕಿತ್ಸೆಯೇ ಮೊದಲಾದ ಕಾರ್ಯಗಳಿಗಾಗಿ ಅವರಿಗೆ ಹೆಚ್ಚು ಫಾಸಿಯಾಗದಂತೆ ಸಾಗಿಸುವುದಕ್ಕಾಗಿ "ಆಂಬ್ಯುಲೆನ್ಸ್" ಬಂಡಿಗಳೇ ಮುಂತಾದುವುಗಳ ಏರ್ಪಾಡನ್ನಿಡುವುದು

(d) ಹುಚ್ಚು ನಾಯಿ ಮುಂತಾದ ಪ್ರಾಣಿಗಳಿಂದ ಕಚ್ಚಲ್ಪಟ್ಟವರಿಗೆ ವಿಷಹರವಾದ ಚಿಕಿತ್ಸೆಯು ದೊರೆಯುವಂತೆ ಏರ್ಪಾಡು ಮಾಡುವುದು

17 ಮುನಿಸಿಪಲ್ ತೆರಿಗೆಗಳು.

ಮುನಿಸಿಪಲ್ ಸಭೆಯವರು ವಿಧಿಸಬಹುದಾದ ಪರಮಾವಧಿಯ ತೆರಿಗೆಯ ದರಗಳನ್ನು, ಕೆಲವು ಸಂದರ್ಭಗಳಲ್ಲಿ, ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿಯೇ ಗೊತ್ತುಮಾಡಿದೆ; ಇತರ ಸಂದರ್ಭಗಳಲ್ಲಿ ಪರಮಾವಧಿಯ ತೆರಿಗೆಯ ದರಗಳನ್ನು ಷೆಡ್ಯೂಲುಗಳಲ್ಲಿ ತಿಳಿಸಲಾಗಿದೆ. ತೆರಿಗೆಗಳ ಪರಮಾವಧಿ ದರಗಳು ಎಲ್ಲ ಸ್ಥಳಗಳಲ್ಲಿಯೂ ಏಕಪ್ರಕಾರವಾಗಿರುವಂತೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಪರಮಾವಧಿ ದರಗಳ ತೆರಿಗೆಗಳನ್ನು ಷೆಡ್ಯೂಲುಗಳಲ್ಲಿ ಮಾತ್ರವೇ ವಿಧಾಯಕ ಮಾಡಬಹುದಾಗಿದ ಮೋಟಾರು ವಾಹನಗಳ ಮೇಲೆ ವಸೂಲ್ಮಾಡುವಂತೆ ಈಗ ವಿಧಾಯಕವಾಗಿರುವ ಪರಮಾವಧಿಯ ದರಗಳು ಸಾಲದು. ಮೋಟಾರು-ಬಸ್ಸುಗಳ ಮತ್ತು ಲಾರಿಗಳ ಮೇಲಣ ತೆರಿಗೆಯ ದರವನ್ನು ವರ್ಷ ಬಂದಕ್ಕೆ 60 ರೂಪಾಯಿಗಳಿಗೆ ಹೆಚ್ಚಿಸಿ ನಿಬಂಧನೆಯನ್ನು ಮಾಡಲಾಗಿದೆ. ಅಲ್ಲದೆ, 15 ಹಂಡ್ರಡ್ವೇಟ್ ಮತ್ತು ಅದಕ್ಕೆ ಮೇಲ್ಪಟ್ಟ ತೂಕವುಳ್ಳ ಮೋಟಾರು ಗಾಡಿಗಳ ಮೇಲಣ ತೆರಿಗೆಯ ದರವನ್ನು ವರ್ಷ ಬಂದಕ್ಕೆ 40 ರೂಪಾಯಿಗಳಿಗೆ ಹೆಚ್ಚಿಸಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ ಪರಮಾವಧಿಯ ಮುನಿಸಿಪಲ್ ಸುಂಕದ ದರಗಳು 'ಸ್ಟೇಟ್ ರೋಡು'ಗಳಲ್ಲಿ ಸುಂಕದ ಕಟ್ಟೆಡಗಳಲ್ಲಿ ವಸೂಲಾಗುವ ಸುಂಕದ ದರಗಳಿಗೆ ಸಮವಾಗಿರುವಂತೆ ನಿಬಂಧನೆ ಮಾಡಲಾಗಿದೆ. ಪ್ರಾಣಿಗಳ ಮೇಲೆ ಸುಂಕವನ್ನು ವಸೂಲ್ಮಾಡುವುದನ್ನು ವಜಾಮಾಡಲಾಗಿದೆ ಆಕ್ಟ್ರಾಯಿ ಸುಂಕವನ್ನು ವಸೂಲ್ಮಾಡದಿರುವ ಸಂದರ್ಭದಲ್ಲಿ ಸಾಮಾನು ಇಳಿಸಿದ ಸ್ಥಳದಲ್ಲಿ "ಟರ್ಮಿನಲ್" ತೆರಿಗೆಯನ್ನು ವಸೂಲ್ಮಾಡುವಂತೆ ನಿಯಮವೆನ್ನು ಏರ್ಪಡಿಸಲಾಗಿದ ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿ ಕಾಣಿಸಿರುವಂತಯೂ ಅಥವಾ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ನಿಯಮಗಳಲ್ಲಿ ವಿಧಾಯಕ ಮಾಡಿರುವಂತೆಯೂ, ತೆರಿಗೆಗಳನ್ನು ಕೊಡಬೇಕಾಗಿಲ್ಲದ ವಿನಾಯತಿಯು ದೊರೆಯುವ ವಿಶೇಷ ಸಂದರ್ಭಗಳ ಜೊತೆಗೆ ಅದೇ ವಿನಾಯ್ತಿಯು ದೊರೆಯಬೇಕಾದ ಇತರ ಸಂದರ್ಭಗಳನ್ನು ಏರ್ಪಡಿಸುವ ಅಧಿಕಾರವು ಸರ್ಕಾರದವರಿಗಿರುವಂತೆ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ ಪ್ರತಿ ಡಿಸ್ಟ್ರಿಕ್ಟಿನ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿರುವ ಕಟ್ಟಡಗಳ ಮತ್ತು ಜಮೀನುಗಳ ಮೇಲೆ ಕಂದಾಯವನ್ನು ರದ್ದಾವು ಮಾಡುವ ಕೆಲಸವನ್ನು ಒಬ್ಬ ಅಮಲ್ದಾರರ ದರ್ಜೆಯ ಸರ್ಕಾರೀ ಆಫೀಸರಿಗೆ ವಹಿಸುವುದು ಸೂಕ್ತವೆಂದು ಪರ್ಯಾಲೋಚಿಸಲಾಗಿದ, ಈ ಉದ್ದೇಶಕ್ಕಾಗಿ ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟಿಗೂ ಒಬ್ಬ "ಅಸೆಸರ್" ಎಂಬ ಆಫೀಸರು ಇರಬೇಕಾಗುತ್ತದೆ ಇವರು ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ನೋಡಿ "ರೆವೆನ್ಯೂ ಆಡಿಟ್" ಎಂಬ ಪ್ರಾಟ್ಟುವಳಿ ತನಿಖೆಯ ಕಲಸವನ್ನೂ ನಿರ್ವಹಿಸಬೇಕೆಂದು ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ ಪ್ರತಿಸಲವೂ ಸುಂಕವನ್ನು ಕೊಡುವುದಕ್ಕೆ ಬದಲಾಗಿ ಕ್ಲುಪ್ತವಾದ ಒಟ್ಟು ಮೊತ್ತವನ್ನು ಒಂದೇ ಸಾರಿ ಸಲ್ಲಿಸುವ ಸುಂಕದ ಪರಿವರ್ತನೆಯ ವಿಚಾರದಲ್ಲಿ ಈಗ ನಿರ್ದಿಷ್ಟವಾದ ನಿಯಮಗಳಿಲ್ಲ, ಇದರಿಂದ ಬಹುಮಟ್ಟಿಗೆ ತೊಂದರೆಯುಂಟಾಗುತ್ತಿದೆ ತೆರಿಗೆಯನ್ನು ವಸೂಲ್ಮಾಡುವುದರ ಸಂಬಂಧದಲ್ಲಿ ಉಂಟಾಗತಕ್ಕ ಅನಾನುಕೂಲತನ್ನು ಕೂಡಿದಮಟ್ಟಿಗೂ ಪರಿಹರಿಸುವುದಕ್ಕಾಗಿ ಸುಂಕ ಮತ್ತು ಆಕ್ಟ್ರಾಯಿ ಬಾಬುಗಳ ತೆರಿಗೆ ಮೊಬಲಗನ್ನು ಈ ರೀತಿ ಪರಿವರ್ತಿಸುವ ವಿಷಯದಲ್ಲಿ ತಕ್ಕ ನಿಯಮಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡಲಾಗಿದೆ ತೆರಿಗೆಗಳ ವಸೂಲಿಯು ಸುಲೀಸಾಗಿ ನಡೆಯಲು ಸೌಕರ್ಯವನ್ನು ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ಬಾಕೀದಾರರ ಸ್ಥಿರಸ್ವತ್ತುಗಳನ್ನು ಜಪ್ತಿಮಾಡಿ ಅವುಗಳನ್ನು ವಿಕ್ರಯಿಸಿ ಆ ಮೂಲಕ ಬಾಕಿಗಳನ್ನು ವಸೂಲ್ಮಾಡುವಂತೆ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರಿಗೆ ಅಧಿಕಾರ ಕೊಡಲಾಗಿದೆ ಪರಂತು, ಸರ್ಕಾರಕ್ಕೆ ಬರಬೇಕಾದ ಜಮೀನು ಕಂದಾಯವು ಹೊರತು ವಸೂಲಾಗಬೇಕಂಬ ಮತ್ತು ಆ ಬಳಿಕ ಮಾತ್ರವೇ ಆ ಸ್ವತ್ತುಗಳ ಮೇಲೆ ಮುನಿಸಿಪಲ್ ತೆರಿಗೆಯ ಬಾಕಿಯ ವಸೂಲಿಗಾಗಿ ಕ್ರಮ ಜರುಗಬೇಕೆಂಬ ಷರತ್ತಿಗೆ ಒಳಪಟ್ಟು, ಅವರು ಆ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಬೇಕಾಗುತ್ತದೆ

ತಗಾದೆ ನೋಟೀಸುಗಳ ಮೇಲೆ ಅಪ್ಪೀಲು ಮಾಡಿದ ಸಂದರ್ಭಗಳಲ್ಲಿ ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರವರ ತೀರ್ಮಾನಗಳು ಬದಲಾವಣೆಯಾಗಲು ಈಗ ಅವಕಾಶವಿಲ್ಲ ಆದುದರಿಂದ, ಇಂಥ ಸಂದರ್ಭಗಳಲ್ಲಿ "ರಿವಿಜ್ಞ" ಅರ್ಜಿಗಳಿಗೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

18 ಬೀದಿಗಳು ಮತ್ತು ಕಟ್ಟಡಗಳ ಸಂಬಂಧದ ನಡೆವಳಿಕೆ

ಕಾಮಗಾರಿಗಳನ್ನು ನಡೆಯಿಸುವುದಕ್ಕಾಗಿ ಪಬ್ಲಿಕ್ ರಸ್ತೆಗಳಲ್ಲಿ ಹಂಗಾಮಿಯಾಗಿ ಸಂಚಾರವನ್ನು ತಪ್ಪಿಸಲು ಮುನಿಸಿಪಲ್ ಸಭೆಯವರಿಗೆ ಅಧಿಕಾರವನ್ನು ಕೊಡುವ ಯಾವ ನಿರ್ದಿಷ್ಟವಾದ ನಿಯಮವೂ ಸಹ ಈಗ ಜಾರಿಯಲ್ಲಿರುವ ರೆಗ್ಯುಲೇಷನಿನಲ್ಲಿಲ್ಲ ಇದಕ್ಕಾಗಿ ಮೆಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ. ಅಲ್ಲದೆ, ಅಂಥ ಸಂದರ್ಭಗಳಲ್ಲಿ, ಸಂಬಂಧಪಟ್ಟ ಜನಗಳಿಗೆ ಅನಾನುಕೂಲವಾಗದಂತೆ ಸೌಕರ್ಯಗಳನ್ನು ಕಲ್ಪಿಸಿಕೊಡುವುದಕ್ಕೂ ಮತ್ತು ಅಂಥ ಕಾಮಗಾರಿಗಳಿಂದ ವಿಶೇಷತಃ ನಷ್ಟಪಡುವಂಥ ಜನಗಳಿಗೆ ಪರಿಹಾರ ದ್ರವ್ಯವನ್ನು ಪಾವತಿ ಮಾಡುವುದಕ್ಕೂ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರಿಗೆ ಅಧಿಕಾರವಿರುವಂತೆಯೂ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

ಕಟ್ಟಡಗಳ ವಿಚಾರದಲ್ಲಿ, ಸರ್ಕಾರದವರಿಂದ ಯಾವ ವಿಶೇಷ ವಿಧದ ಅಪ್ಪಣೆಯನ್ನೂ ಪಡೆಯದೆಯೇ, ಮುನಿಸಿಪಲ್ ಸಭೆಯವರು ವ್ಯವಹರಿಸಲು ಅಧಿಕಾರವನ್ನು ಕೊಡಲಾಗಿದೆ, ಎಂದರೆ, ಕಟ್ಟಡಗಳಿಗೆ ಫಲಾನಾ ನಮೂನೆಗಳನ್ನು ಹಾಕಬೇಕು, ಅವು ಫಲಾನಾ ಅಳತೆಗಳುಳ್ಳವಾಗಿರಬೇಕು, ಕೊಟಡಿಗಳ ಕನಿಷ್ಠ ಪರಿಮಾಣವು ಇಷ್ಟೇ ಇರಬೇಕು, ಬಾಗಿಲುಗಳು ಮತ್ತು ಕಿಟಕಿಗಳು ಮತ್ತು ಕಟ್ಟಡದ ಅಂತಸ್ತುಗಳು ಇಷ್ಟೇ ಇರಬೇಕು ಮತ್ತು ಕಟ್ಟಡವನ್ನು ಫಲಾನಾ ಉದ್ದೇಶಗಳಿಗೇ ಉಪಯೋಗಿಸಬೇಕು, ಎಂಬ ಷರತ್ತುಗಳನ್ನು ಸರ್ಕಾರದವರ ಅಪ್ಪಣೆಯನ್ನು ಪಡೆಯದೆ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ತಾವೇ ಸ್ವಂತವಾಗಿ ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೂ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರಿಗೆ ಅಧಿಕಾರವನ್ನು ಕೊಡಲಾಗಿದೆ ಕಟ್ಟಡವನ್ನು ಕಟ್ಟಿಸುವ ಪಕ್ಷಕ್ಕೆ ಇಷ್ಟೇ ಕಾಲದವರೆಗೆ ಇರಬೇಕೆಂದು ಈಗ ನೋಟೀಸು ಕೊಡುವ ಮೂಲಕ ಅವಧಿಯನ್ನು ಪರಿಮಿತಗೊಳಿಸುವಂತಿಲ್ಲ ಈ ಅವಧಿಯನ್ನು ಒಂದು ವರುಷಕ್ಕೆ ಪರಿಮಿತಗೊಳಿಸಬೇಕೆಂದು ತೀರ್ಮಾನಿಸಿ, ಅದಕ್ಕಾಗಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ. ಕಟ್ಟಡವು ಪೂರ್ತಿಯಾಗಿ ವುದಕ್ಕೆ ಮುಂಚಿತವಾಗಿ ಮಂಜೀಕರು ಮುನಿಸಿಪಲ್ ಸಭೆಗಳಿಗೆ ನೋಟೀಸನ್ನು ಕೊಟ್ಟು, ಕಟ್ಟಡವನ್ನು ಪರಿಶೀಲಿಸುವುದಕ್ಕೆ ಮುನಿಸಿಪಲ್ ಸಭೆಯವರಿಗೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಿಕೊಟ್ಟು ನಂತರ, ಕಟ್ಟಡವನ್ನು ಆಕ್ರಮಿಸುವಂತೆ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿದೆ ಆದಕಾರಣ, ಇದಕ್ಕಾಗಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ ಆದರೆ, ಈ ನಿಯಮವು ಯಾವ ಯಾವ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ಆಚರಣೆಗೆ ಬರಬೇಕೆಂದು ಸರ್ಕಾರದವರು ಇಸ್ತಿಹಾರ್ನಾಮೆಯನ್ನು ಪ್ರಕಟಿಸಿರುತ್ತಾರೋ ಅಲ್ಲಿ ಮಾತ್ರ, ಅದು ಆಚರಣೆಗೆ ಬರತಕ್ಕದ್ದಾಗಿದೆ.

19 ಸ್ಥಳಾವಶ್ಯಕ್ಕೆ ವಿಷಯಗಳು

ಮುನಿಸಿಪಲ್ ಸಭೆಗಳಿಗೆ ಈ ಕೆಳಗೆ ಕೆಂಡ ಅಧಿಕಾರಗಳನ್ನು ಕೊಡುವುದು ಆವಶ್ಯಕ ಎಂದರೆ,—

(i) ಮನುಷ್ಯರ ವಾಸಕ್ಕೆ ಅಯೋಗ್ಯವಾದ ಕಟ್ಟಡವನ್ನು ಅಥವಾ ಕೂಣಿಯನ್ನು ಉಪಯೋಗಿಸದಂತೆಯೂ ಮತ್ತು ಕೆಲವು ಬೈರುಗಳನ್ನು ಬೆಳೆಯದಂತೆಯೂ ನಿರೋಧಗೊಳಿಸುವುದು, ಮತ್ತು

(ii) ಸೊಳ್ಳೆಗಳು ಹೆಚ್ಚುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕೊಡಬಹುದಾದಂಥ ನೀರು ನಿಲ್ಲುವ ಸ್ಥಳಗಳ ವಿಚಾರದಲ್ಲಿ ಆವಶ್ಯಕವಾದ ಕ್ರಮಗಳನ್ನು ಕೈಕೊಳ್ಳುವುದು, ಮತ್ತು ಕೆರೆಗಳನ್ನು ಅಥವಾ ಕೊಳಗಳನ್ನು ಕಟ್ಟುವುದನ್ನು ಕ್ರಮಗೊಳಿಸಿ ವ್ಯವಸ್ಥೆ ಮಾಡುವುದು

ಈ ಅಧಿಕಾರಗಳನ್ನು ಕೊಡುವುದು ಆವಶ್ಯಕ ಮನಸೂವಾ ಕಾನೂನಿನಲ್ಲಿ ಇದಕ್ಕಾಗಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

ಬಂಡೆಗಳಿಂದ ಕಲ್ಲುಗಳನ್ನು ಒಡೆದು ಸಾಗಿಸುವುದು, ಮತ್ತು ಮನಸ್ವಿಯಾಗಿ ಗಾಡಿಗಳನ್ನು ನಿಲ್ಲಿಸುವುದು, ಇವುಗಳಿಂದ ಜನರಿಗೆ ತೊಂದರೆಯಾಗುವುದನ್ನು ತಪ್ಪಿಸುವ ಉದ್ದೇಶದಿಂದ, ಇವುಗಳ ಸಂಬಂಧದಲ್ಲಿ ನಡೆಯುವ ಅಕ್ರಮಗಳನ್ನು ಅಪರಾಧಗಳಾಗಿ ಭಾವಿಸಲಾಗುವುದೆಂದು ನಿಬಂಧನೆಯನ್ನೂ ರಚಿಸಲಾಗಿದೆ

20 ಲೆಕ್ಕಗಳ ತನಿಖೆ.

ಮುನಿಸಿಪಲ್ ಲೆಕ್ಕಗಳನ್ನು ಒಬ್ಬ ಸರ್ಕಾರಿ ಆಡಿಟರು ತನಿಖೆಮಾಡುವುದು ನಿರ್ಬಂಧಕವಾದುದನ್ನಾಗಿ ಮಾಡಲಾಗಿದೆ, ಮತ್ತು ತಮ್ಮ ಉಪೇಕ್ಷೆಯಿಂದ ಅಥವಾ ದುರ್ವರ್ತನೆಯಿಂದ ಹಣ ಕಡಿಮೆಬೀಳುವುದಕ್ಕೆ ಅಥವಾ ನಷ್ಟವಾಗುವುದಕ್ಕೆ ಜವಾಬ್ದಾರರಾದ ಜನಗಳ ಮೇಲೆ ಆಡಿಟರ ವರದಿಯ ಪ್ರಕಾರ ಅಂಥ ನಷ್ಟಗಳನ್ನು ಹೊರಿಸುವುದಕ್ಕೆ ಡೆಪ್ಯೂಟಿ ಕಮಿಷನರುಗಳಿಗೆ ಅಧಿಕಾರವನ್ನು ಕೊಡಲಾಗಿದೆ

21 ಜಪ್ತಿಮಾಡುವ ಅಧಿಕಾರಗಳು.

ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಆಫೀಸುಗಳನ್ನು ತನಿಖೆಮಾಡುವುದಕ್ಕೆ ಈಗ ನಿರ್ದಿಷ್ಟವಾದ ನಿಯಮವೇನೂ ಇಲ್ಲ ಸರ್ಕಾರದವರು ಈ ವಿಚಾರದಲ್ಲಿ ಡೆಪ್ಯೂಟಿ ಕಮಿಷನರಿಗೆ ಅಪ್ಪಣೆಯನ್ನು ಕೊಟ್ಟರೆ, ಅವರಿಗೆ ಈ ಆಫೀಸುಗಳನ್ನು ತನಿಖೆಮಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರವಿದೆ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳ ಅಥವಾ ಅವುಗಳ ಕಾರ್ಯನಿರ್ವಾಹಕ ಸಮಿತಿಗಳ ಯಾವುದಾದರೂ ನಡೆವಳಿಕೆ ಅಥವಾ ನಿರ್ಣಯವು ತತ್ಕಾಲದಲ್ಲಿ ಜಾರಿಯಲ್ಲಿರುವ ಕಾನೂನು ಅಥವಾ ಹುಕುಮುಗಳಿಗನುಸಾರವಾಗಿಲ್ಲದಿದ್ದರೆ ಅಂಥ ನಡೆವಳಿಕೆ ಅಥವಾ ನಿರ್ಣಯವನ್ನು ರದ್ದುಪಡಿಸುವ ಅಥವಾ ತಿದ್ದುಪಾಟುಮಾಡುವ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರಿಗೆ ಉಳಿಸಿಕೊಳ್ಳಲಾಗಿದೆ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳ ಪರವಾಗಿಯಾಗಲಿ ಅಥವಾ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ಕ್ರಮ ಜರುಗಿಸದೆ ತಪ್ಪಿದ ಸಂದರ್ಭದಲ್ಲಾಗಲಿ, ಸರ್ಕಾರಿ ಅಧಿಕಾರಿಗಳು ನ್ಯಾಯಸಮ್ಮತವಾದ ವರ್ತನೆಯನ್ನು ಕೈಕೊಂಡು, "ಕಂಟ್ರಾಕ್ಟು" ಒಪ್ಪಂದಗಳನ್ನು ಮಾಡಿಕೊಳ್ಳುವುದೇ ಮುಂತಾದ ಕೆಲಸಗಳನ್ನು ನಡೆಯಿಸಿದರೆ, ಆ ಭಾಗದಲ್ಲಿ ಅವರು ಯಾವ ತೊಂದ

ರಿಗೂ ಗುರಿಯಾಗಲು ಅವಕಾಶವಿಲ್ಲದಂತೆ ಮುನಿಸಿಪಲ್ ಅಧಿಕಾರಿಗಳಿಗೆ ಕೊಟ್ಟಿರುವ ರಕ್ಷಣೆಯನ್ನೇ ಅವರಿಗೂ ಕಲ್ಪಿಸಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

22 ಮುನಿಸಿಪಲ್ ಕಮಿಷನರ ಅಧಿಕಾರಗಳು

ಮುನಿಸಿಪಲ್ ಕಮಿಷನರ ಅಧಿಕಾರಗಳನ್ನು ಬದಲಾವಣೆಮಾಡುವುದು ಆವಶ್ಯಕವಾಗಿದೆ, 160 A ನೆ ಮತ್ತು 161A ಪ್ರಕರಣಗಳ ಮೇರೆಗೆ ಮುನಿಸಿಪಲ್ ಸಭೆಗೆ ಇರುವ ಅಧಿಕಾರಗಳನ್ನು ಮುನಿಸಿಪಲ್ ಕಮಿಷನರಿಗೆ ವಹಿಸಲಾಗಿದೆ. ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಮಂಜೂರಾತಿಯನ್ನು ಪಡೆಯದೆ "ಕಂಟ್ರಾಕ್ಟ್" ಒಪ್ಪಂದಗಳನ್ನು ಮಾಡುವುದಕ್ಕೆ ಇರುವ ಅಧಿಕಾರದ ಪರಿಮಿತಿಯನ್ನೂ ಸಹ 500 ರೂಪಾಯಿಗಳಿಂದ 1000 ರೂಪಾಯಿಗಳಿಗೆ ಹೆಚ್ಚಿಸಲಾಗಿದೆ

II ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಮಸೂದಾಕಾನೂನು

ಸಂಸ್ಥಾನದಲ್ಲಿರತಕ್ಕ ಸಣ್ಣ ಸಣ್ಣ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಆವಶ್ಯಕತೆಗಳಿಗೆ ತಕ್ಕಂತೆ ಸುಲಭವಾದ ಬಂದು ರೆಗ್ಯುಲೇಷನನ್ನು ಏರ್ಪಡಿಸುವ ಉದ್ದೇಶದಿಂದ ಈ ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಲಾಗಿದೆಯೆಂದು ಮೊದಲೇ ಹೇಳಿದೆ ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೆ ಅಷ್ಟು, ತಪಶೀಲಾದ ನಿಬಂಧನಗಳು ಆವಶ್ಯಕವಿಲ್ಲ, ವಾಸ್ತವವಾಗಿಯೂ ಎಷ್ಟು ನಿಬಂಧನಗಳು ತೀರ ಆವಶ್ಯಕವೋ ಅಷ್ಟು ನಿಬಂಧನಗಳನ್ನು ಮಾತ್ರ ಕಲ್ಪಿಸಿ ಉಳಿದ ವಿಚಾರಗಳಲ್ಲಿ ಸರ್ಕಾರದವರು ಏರ್ಪಡಿಸಬಹುದಾದ ನಿಯಮಗಳು ಅನ್ವಯಿಸುವಂತೆ ವಿಧಾಯಕಮಾಡಿದರೇ ಸಾಕಾಗಿದೆ ಆದುದರಿಂದ, ಈ ಅಂಶಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ವಿಷಯದಲ್ಲಿ ಪ್ರತ್ಯೇಕವಾದ ಮಸೂದಾ ಕಾನೂನೊಂದನ್ನು ರಚಿಸಲಾಗಿದೆ

ಈ ಮಸೂದಾ ಕಾನೂನಿನ ಮೇರೆಗೆ ನಡೆಯುವ ಬದಲಾವಣೆಗಳಲ್ಲಿ ಬಹು ಮುಖ್ಯವಾದುವುಗಳು ಯಾವುವೆಂದರೆ —

1 ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ರಚನೆ

ಒಂದು ಊರಿನಲ್ಲಿ ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಯನ್ನು ಏರ್ಪಡಿಸಬೇಕಾದರೆ, ಅಲ್ಲಿ ಕನಿಷ್ಠಪಕ್ಷ 3,000 ಪ್ರಜಾಸಂಖ್ಯೆಯಿರಬೇಕು

2 ಚುನಾವಣೆಗಳು

ಪ್ರಾಪ್ತವಯಸ್ಕರಾದವರೆಲ್ಲರಿಗೂ ವೋಟುಕೊಡುವ ಅಧಿಕಾರವಿರುವಂತೆ ನಿಯಮವು ಕಲ್ಪಿಸಲ್ಪಟ್ಟಿದೆ ಆದರೆ ವೋಟರಾಗುವುದಕ್ಕೆ ತಕ್ಕ ಅರ್ಹತೆಯನ್ನು ಪಡೆಯಬೇಕಾದರೆ, ಒಬ್ಬ ಮನುಷ್ಯನು, ಚುನಾವಣೆಯು ನಡೆಯತಕ್ಕ ತಾರೀಖಿಗೆ ಮುಂಚೆ, ಆರು ತಿಂಗಳುಗಳಿಗೆ ಕಡಿಮೆಯಿಲ್ಲದಷ್ಟು ಕಾಲವಾದರೂ ಆ ಮುನಿಸಿಪಾಲಿಟಿಯಲ್ಲಿ ವಾಸಮಾಡಿರಬೇಕು ಚುನಾವಣೆಯ ಸಂಬಂಧದಲ್ಲಿ ಬರತಕ್ಕ ಅರ್ಜಿಗಳನ್ನು ಫೈಸಲ್ಮಾಡಲು ಮುನಸೀಫರುಗಳಿಗೆ ಅಧಿಕಾರಕೊಡಲಾಗಿದೆ ಹೀಗೆ ಮುನಸೀಫರುಕೊಟ್ಟ ತೀರ್ಮಾನದ ಸಂಬಂಧದಲ್ಲಿ ಯಾವುದಾದರೂ ಕಾನೂನಿನ ಅಂಶಗಳು (ಲಾ ಪಾಯಿಂಟುಗಳು) ಅಡಕವಾಗಿದ್ದು ಅವುಗಳ ಇತ್ಯರ್ಥಕ್ಕನುಗುಣವಾಗಿ ತೀರ್ಮಾನವು ಮಾರ್ಪಡುವ ಸಂಭವವಿರುವ ಸಂದರ್ಭಗಳಲ್ಲಿ ಮಾತ್ರ, ಮುನಸೀಫರ ತೀರ್ಮಾನದ ಮೇಲೆ ಹೈಕೋರ್ಟಿಗೆ ಅಪೀಲು ಮಾಡುವುದಕ್ಕೆ ನಿಬಂಧನೆಯಲ್ಲಿ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಿದೆ

3 ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಆಫೀಸರು ಮತ್ತು ಪ್ರೆಸಿಡೆಂಟರು

ಮುನಿಸಿಪಾಲಿಟಿಯ ಕಾರ್ಯಗಳನ್ನು ದಕ್ಷತೆಯಿಂದ ನಡೆಯಿಸುವುದಕ್ಕಾಗಿ ಒಬ್ಬ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾರಿಯನ್ನು ನೇಮಕಮಾಡುವುದಕ್ಕೆ ಸಣ್ಣ ಸಣ್ಣ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ತಕ್ಕಷ್ಟು ದ್ರವ್ಯಾನುಕೂಲತೆಯಿರುವುದಿಲ್ಲ ಆದುದರಿಂದ ಇಂಥ ಮುನಿಸಿಪಾಲಿಟಿಗಳಲ್ಲಿ ಕೆಲಸ ನೆರವೇರಿಸತಕ್ಕ ಅಧಿಕಾರಗಳು ಎಂದಿನಂತೆ ಇನ್ನು ಮುಂದೆಯೂ ಪ್ರೆಸಿಡೆಂಟರಿಗೇ ಇರತಕ್ಕುದೆಂದೂ ಮತ್ತು ಪ್ರೆಸಿಡೆಂಟರು ಈ ರೆಗ್ಯುಲೇಷನಿನ ಉದ್ದೇಶಗಳನ್ನು ನೆರವೇರಿಸುವ ವಿಷಯದಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ಜವಾಬ್ದಾರರಾಗಿರತಕ್ಕುದೆಂದೂ, ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿ ನಿಬಂಧನೆಯನ್ನು ಏರ್ಪಡಿಸಲಾಗಿದೆ ಪ್ರೆಸಿಡೆಂಟರು ತಮ್ಮ ಕರ್ತವ್ಯಗಳನ್ನು ನೆರವೇರಿಸುವಲ್ಲಿ ಅನಾವಶ್ಯಕವಾದ ಅಡ್ಡಿಯುಂಟಾಗದಹಾಗೆ, ಅತನು ಸಲೀಸಾಗಿ ಕೆಲಸವನ್ನು ನೆರವೇರಿಸಕೊಂಡು ಹೋಗುವಂತೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಅತನಿಗೆ ಕಲವು ಅಧಿಕಾರಗಳು ಕೊಡಲ್ಪಟ್ಟಿವೆ ಅವುಗಳನ್ನು ಚಲಾಯಿಸುವುದರಲ್ಲಿ ಅತನು ಮುನಿಸಿಪಲ್ ಸಭೆಯವರ ಅನುಮತಿಯನ್ನು ಕೇಳದೆಯೇ ಸ್ವತಂತ್ರವಾಗಿ ವ್ಯವಹರಿಸಬಹುದು ಆದರೆ, ಈ ಸಂಬಂಧದಲ್ಲಿ ಅತನು ಮಾಡುವ ಹುಕುಮಿನಮೇಲೆ ಸಂಬಂಧಪಟ್ಟ ಜನರು ಮುನಿಸಿಪಲ್ ಸಭೆಯವರಿಗೆ ಅಪೀಲು ಮಾಡಲು ಅವಕಾಶವನ್ನೂ ಕಲ್ಪಿಸಲಾಗಿದೆ

ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಮತ್ತು ವೈಸ್–ಪ್ರೆಸಿಡೆಂಟರುಗಳ ಚುನಾವಣೆ ಮತ್ತು ಮೊಕರರಾತಿಯ ವಿಷಯದಲ್ಲಿ ಈಗ ಜಾರಿಯಲ್ಲಿರುವ ನಿಯಮವನ್ನು ಬದಲಾಯಿಸದ ಹಾಗೆಯೇ ಬಿಟ್ಟಿದೆ ಆದರೆ ವೈಸ್–ಪ್ರೆಸಿಡೆಂಟುಗಳ ಮೊಕರರಾತಿಯನ್ನು ಮುನಿಸಿಪಲ್ ಸಭೆಯವರ ವಿವೇಚನೆಗೆ ಬಿಟ್ಟುಬಿಡಲಾಗಿದೆ ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ಮತ್ತು ವೈಸ್–ಪ್ರೆಸಿಡೆಂಟರುಗಳೂ ತಮ್ಮ ತಮ್ಮ ಸ್ಥಾನಗಳನ್ನು ಬಿಟ್ಟುಬಿಡಬೇಕೆಂದು ನಿರ್ಣಯಗಳು ಮಂಜೂರ್ಮಾಡಲ್ಪಟ್ಟಾಗ, ಅವರು ಮತ್ತಾವ ಹುಕ್ಕುಮನ್ನೂ ನಿರೀಕ್ಷಿಸದೆ ತಮ್ಮಷ್ಟಕ್ಕೆ ತಾವೇ ತಮ್ಮ ಸ್ಥಾನಗಳನ್ನು ಬಿಟ್ಟುಬಿಡಬೇಕೆಂದು ನಿಬಂಧನೆಯನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ ಇಂಥ ನಿರ್ಣಯವು, ಒಟ್ಟು ಸಭಿಕರ ಪೈಕಿ ಮೂರರಲ್ಲಿ ಎರಡು ಪಾಲಿಗೆ ಕಡಮೆಯಿಲ್ಲದಷ್ಟು ಮಂದಿ ಸಭಿಕರಿಂದ ಮಂಜೂರ್ಮಾಡಲ್ಪಟ್ಟಾಗ, ಪ್ರೆಸಿಡೆಂಟರವರು ಅಥವಾ ವೈಸ್–ಪ್ರೆಸಿಡೆಂಟರವರು ತಮ್ಮ ಸ್ಥಾನವನ್ನು ಕೂಡಲೆ ಬಿಟ್ಟುಬಿಡಬೇಕಾಗುತ್ತದೆ ಆದರೆ, ಇಂಥ ನಿರ್ಣಯವು, ಮೂರರಲ್ಲಿ ಎರಡು ಭಾಗಕ್ಕೆ ಕಡಮೆಯಿಲ್ಲದಷ್ಟು ಮಂದಿ ಸದಸ್ಯರುಗಳಿಂದಲ್ಲದ ಅಷ್ಟಕ್ಕಿಂತಲೂ ಕಡಿಮೆ ಸಂಖ್ಯೆಯ ಸದಸ್ಯರಿಂದ ಮಂಜೂರ್ಮಾಡಲ್ಪಟ್ಟಿದ್ದ ಸಂದರ್ಭದಲ್ಲಿ, ಹೀಗೆ ನಿರ್ಣಯವು ಮಾಡಲ್ಪಟ್ಟ ನಂತರ ಬಂದು ತಿಂಗಳಿಗೆ ಕಡಮೆಯಿಲ್ಲದಷ್ಟು ಅವಧಿಯು ಕಳೆದಮೇಲೆ, ಪ್ರೆಸಿಡೆಂಟರು ಅಥವಾ ವೈಸ್–ಪ್ರೆಸಿಡೆಂಟರು ಅವರ ಸ್ಥಾನವನ್ನು ಬಿಟ್ಟುಬಿಡಬೇಕೆಂದು ಇನ್ನೊಂದು ನಿರ್ಣಯವು ಮಂಜೂರ್ಮಾಡಲ್ಪಟ್ಟರೆ, ಆಗ ಅವರು ತಮ್ಮ ಸ್ಥಾನವನ್ನು ಬಿಟ್ಟುಬಿಡತಕ್ಕುದಂದೂ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

ಪ್ರೆಸಿಡೆಂಟರಾಗಲಿ ವೈಸ್–ಪ್ರೆಸಿಡೆಂಟರಾಗಲಿ ಮುನಿಸಿಪಲ್ ಸಭೆಯವರಿಂದ ಚುನಾಯಿಸಲ್ಪಟ್ಟ ಸಂದರ್ಭದಲ್ಲಿ ಅವರು, ಮುನಿಸಿಪಲ್ ಸಭೆಯವರು ಗೊತ್ತುಮಾಡಬಹುದಾದಷ್ಟು ಅವಧಿಯವರೆಗೂ ತಮ್ಮ ಹುದ್ದೆಯಲ್ಲಿರತಕ್ಕುದು ಉಳಿದ ಸಂದರ್ಭಗಳಲ್ಲಿ, ಅವರ ಹುದ್ದೆಯ ಅವಧಿಯು, ಅವರು ಮುನಿಸಿಪಲ್ ಸಭೆಯಲ್ಲಿ ಸದಸ್ಯರಾಗಿರತಕ್ಕ ಅವಧಿಗ ಸರಿಸಮನಾಗಿರತಕ್ಕುದು , ಅಥವಾ ಅವರ ಸದಸ್ಯತನದ ಅವಧಿಯು ಮುಗ್ಧಕಾಲದಲ್ಲಿ ಅವರ ಚುನಾವಣೆಯು ನಡೆದರೆ, ಅವರ ಸದಸ್ಯತನದ ಅವಧಿಯು ಇನ್ನಷ್ಟುಕಾಲ ಬಾಕಿ ಉಳಿದಿದೆಯೋ ಅಷ್ಟುಕಾಲವೆ ಈ ಅವಧಿಯೂ ಆಗಿರತಕ್ಕುದು ಸರ್ಕಾರಿ ಉದ್ಯೋಗಸ್ಥರಲ್ಲದ ಖಾಸಗಿ ಪ್ರೆಸಿಡೆಂಟರುಗಳು ತಮ್ಮ ಎಗ್ಜೆಕ್ಯೂಟಿವ್ ಅಧಿಕಾರಗಳನ್ನು ಸ್ವತಂತ್ರವಾಗಿ ನಡೆಯಿಸುವುದಕ್ಕೆ ಅನುಕೂಲವಿರಬೇಕೆಂದು ತೋರಿತು ಆದ ಕ್ಕಾರಣ, ಇವರ ಕರ್ತವ್ಯದಲ್ಲಿ ಪ್ರವೇಶಿಸುವುದಕ್ಕೆ ಮೈಸೂರಾ ಕಾನೂನಿನಲ್ಲಿ ಅಮಲ್ದಾರರಿಗ ಯಾವ ಅಧಿಕಾರವನ್ನೂ ಕೊಟ್ಟಿಲ್ಲ ಜರೂರು ಸಂದರ್ಭಗಳಲ್ಲಿ ತ್ವರ್ಯವಾಗಿ ಪರಿಹಾರವ ಏರ್ಪಾಡುಗಳನ್ನು ನಡೆಯಿಸುವುದಕ್ಕೆ ತಕ್ಕ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ, ಮುನಿಸಿಪಾಲಿಟಿಯು ಇರತಕ್ಕ ತಾಲ್ಲೂಕಿನ ಮೇಲೆ ಅಧಿಕಾರವಿರುವ ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರಿಗೆ, ತನಿಖ, ಮೇಲ್ವಿಚಾರಣೆ ಮತ್ತು ಪತೋಟಿ—ಇವುಗಳನ್ನು ನಡೆಯಿಸುವ ವಿಷಯದಲ್ಲಿ ಹೆಚ್ಚಿನ ಅಧಿಕಾರಗಳಿರುವಂತೆ ಮೈಸೂರಾ ಕಾನೂನಿನಲ್ಲಿ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

4 ತೆರಿಗೆ

ಸಂಸ್ಥಾನಾದ್ಯಂತ ಎಲ್ಲ ಪ್ರದೇಶಗಳಲ್ಲಿಯೂ ತೆರಿಗೆಗಳು ಬಂದೇ ಸಮವಾಗಿರಲೆಂಬ ಉದ್ದೇಶದಿಂದ ಮೈಸೂರ್ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರೆಲ್ಲರೂ ಬಂದೇ ದರದಲ್ಲಿ ತೆರಿಗೆಗಳನ್ನು ಹಾಕಬೇಕೆಂದು ಈಗ ವಿಧಾಯಕವಾಗಿದೆ ಆದರೆ, ಟೌನ್ ಮತ್ತು ಸಿಟಿ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲುಗಳವರು ತಮ್ಮ ತಮ್ಮ ಅವಶ್ಯಕತೆಗಳಿಗೆ ಅನುಸಾರವಾಗಿ ತೆರಿಗೆಗಳನ್ನು ಗೊತ್ತುಮಾಡುವುದಕ್ಕೂ ಮತ್ತು ಬದಲಾಯಿಸುವುದಕ್ಕೂ ಅಧಿಕಾರವುಳ್ಳವರಾಗಿದ್ದಾರೆ ಇದಕ್ಕಾಗಿ ಅವರು ನಿಬಂಧನೆಗಳನ್ನು ಕಲ್ಪಿಸಬೇಕಾಗಿದೆ ಈ ನಿಬಂಧನೆಗಳಿಗೆ ಸರ್ಕಾರದವರ ಮಂಜೂರಾತಿಯು ದೊರೆತ ನಂತರವೇ ಅವು ಜಾರಿಯಲ್ಲಿ ಬರತಕ್ಕುವಾಗಿವೆ ತ್ತರೀತಿ ತ ಗ ಆಚರಣೆಯಲ್ಲಿದೆ. ಗ್ರಾಮಪಂಚಾಯಿತಿಗಳವರು ಸರ್ಕಾರದವರಿಂದ ವಿಧಿಸಲ್ಪಟ್ಟಿರುವ ಪರಮಾವಧಿ ದರಕ್ಕೆ ಒಳಪಟ್ಟು, ತೆರಿಗೆಗಳ ಧರವನ್ನು ಗೊತ್ತುಮಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರವುಳ್ಳವರಾಗಿದ್ದಾರೆ ಸರ್ಕಾರದವರು ಗೊತ್ತುಮಾಡಿರತಕ್ಕ ಪರಮಾವಧಿ ಪರಿಮಿತಿಗೊಳಪಟ್ಟು ಮೈಸೂರ್ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ತೆರಿಗೆಗಳ ದರವನ್ನು ತಮಗೆ ಸೂಕ್ತ ತೋರಿದಂತೆ ವಿಧಿಸುವುದಕ್ಕೂ ಮತ್ತು ಆಗಿಂದಾಗ್ಗೆ ಯುಕ್ತವೆಂದು ತೋರಬಹುದಾದ ರೀತಿಯಲ್ಲಿ ಈ ದರಗಳನ್ನು ಬದಲಾಯಿಸುವುದಕ್ಕೂ, ತಕ್ಕಂತೆ ಅಧಿಕಾರವನ್ನು ಈಗಿನ ಮೈಸೂರಾ ಕಾನೂನಿನಲ್ಲಿ ಕೊಡಲಾಗಿದೆ ಆದರೆ, ಆವರು ತೆರಿಗೆಯ ದರಗಳನ್ನು, ಯುಕ್ತ ಪರಿಮಿತಿಗಿಂತಲೂ ತೀರ ಕಡಿಮೆಯಾಗುವಂತೆ ಇಳಿಸಿಬಿಡಲು ಅವಕಾಶವಿರುವಂತೆ ಮಾಡುವುದಕ್ಕಾಗಿ ಒಂದು ಏರ್ಪಾಡನ್ನು ಮಾಡಲಾಗಿದೆ. ಎಂದರೆ, ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ಯಾವುದಾದರೂ ಹೊಸತೆರಿಗಗಳನ್ನು ವಿಧಿಸುವುದರ ಮೂಲಕವಾಗಲಿ, ಅಥವಾ ಜಾರಿಯಲ್ಲಿಗತಕ್ಕ ತೆರಿಗೆಗಳನ್ನು ಹೆಚ್ಚಿಸುವುದರ ಮೂಲಕವಾಗಲಿ ವರಮಾನವನ್ನು ಹೆಚ್ಚಿಸಿಕೊಳ್ಳಬೇಕೆಂದು ನಿರ್ಬಂಧಪಡಿಸುವ ಅಧಿಕಾರವು ಸರ್ಕಾರದವರಿಗಿರುವಂತೆ ಮೈಸೂರಾ ಕಾನೂನಿನಲ್ಲಿ ನಿಬಂಧನೆಯನ್ನು ಸೇರಿಸಿ, ಆ ಮೂಲಕ ಇದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ ಕಟ್ಟಡಗಳ ಮೇಲೂ, ಜಮೀನುಗಳ ಮೇಲೂ ವರಿಗಳ ರೂಪದಲ್ಲಿ ತೆರಿಗೆ

ಯನ್ನು ರಚಾವು ಮಾಡುವುದಕ್ಕಾಗಿ ಪ್ರತಿಯೊಂದು ಡಿಸ್ಟ್ರಿಕ್ಟಿಗೂ ಒಬ್ಬೊಬ್ಬ ಅಸೆಸರನ್ನು ನೇಮಕ ಮಾಡುವುದಕ್ಕೂ ಸಹ ಸರ್ಕಾರದವರಿಗೆ ಅಧಿಕಾರವಿರುವಂತೆ ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ ಆ ಅಸೆಸರು ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿರುವ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ಲೆಕ್ಕ ಪತ್ರಗಳನ್ನು ನೋಡಿ "ರೆವಿನ್ಯೂ ಆಡಿಟ್" ಎಂಬ ಹುಟ್ಟು ವಳಿ ತನಿಖೆಯ ಕೆಲಸವನ್ನೂ ನೆರವೆ ರಿಸಬೇಕೆಂದು ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ

5 ನಷ್ಟವನ್ನು ಕಟ್ಟಿಕೊಡುವ ಹೊಣೆಗಾರಿಕೆ (ಸರ್‌ಚಾರ್ಜ್)

ಮುನಿಸಿಪಲ್ ಹಣವನ್ನು ಕಳವದರೆ, ಪೋಲು ಮಾಡಿದರೆ ಅಥವಾ ಹಣವು ಯಾವ ವೆಚ್ಚಕ್ಕೆ ಉಪಯೋಗಿಸಲ್ಪಡಬೇಕೋ ಅದನ್ನು ಬಿಟ್ಟು ಬೇರೊಂದು ಉದ್ದೇಶಕ್ಕೆ ಅದನ್ನು ದುರ್ವಿನಿಯೋಗಮಾಡಿ ಉಪಯೋಗಿಸಿದರೆ ಆ ಸಂಗತಿಯನ್ನು ಕುರಿತು ಆಡಿಟರು ಮಾಡುವ ವರದಿಯ ಮೇಲೆ ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಪ್ರೆಸಿಡೆಂಟರು, ಸದಸ್ಯರು, ಮುನಿಸಿಪಲ್ ಆಫೀಸರುಗಳು ಮತ್ತು ಮುನಿಸಿಪಲ್ ನೌಕರರು ಆ ನಷ್ಟದ ಹೊಣೆಗಾರಿಕೆಯನ್ನು ವಹಿಸುವಂತೆ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರು ಹುಕುಂ ಮಾಡಬಹುದೆಂದು ಆಯಾ ಡಿಸ್ಟ್ರಿಕ್ಟಿನ ಡೆಪ್ಯುಟಿ ಕಮಿಷನರಿಗೆ ಅಧಿಕಾರವನ್ನು ಕೊಟ್ಟು ನಿಬಂಧನೆಯನ್ನು ರಚಿಸಲಾಗಿದೆ ಮುನಿಸಿಪಾಲಿಟಿಯ ನಿವಾಸಿಗಳು ಕೊಟ್ಟ ತೆರಿಗೆಗಳ ಹಣವು ಸದ್ವಿನಿಯೋಗವಾಗುವಂತೆ ಅವರ ಪ್ರಯೋಜನಾಂಶಗಳನ್ನು ಕಾಪಾಡುವುದಕ್ಕೆ ಈ ನಿಯಮವು ಅವಶ್ಯಕವಾಗಿದೆ

6 ನಿಬಂಧನೆಗಳು

ಉಪ ನಿಬಂಧನೆಗಳನ್ನು (ಬೈಲಾಗಳನ್ನು) ಏರ್ಪಡಿಸಿಕೊಳ್ಳುವುದಕ್ಕೆ ಈಗ ಜಾರಿಯಲ್ಲಿರುವ ಮುನಿಸಿಪಲ್ ರೆಗುಲೇಷನಿನಲ್ಲಿ ಮೈನರ್ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳಿಗೆ ಅಧಿಕಾರವನ್ನು ಕೊಟ್ಟಿದ್ದರೂ ಕೂಡ, ಅನೇಕ ಮೈನರ್ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳವರು ಆ ರೀತಿ ಉಪ ನಿಬಂಧನೆಗಳನ್ನು (ಬೈಲಾಗಳನ್ನು) ಏರ್ಪಡಿಸಿಕೊಂಡಿಲ್ಲ. ಈ ನಿಬಂಧನೆಗಳಿಲ್ಲದೇ ಇರುವುದರಿಂದ ಮೈನರ್ ಮುನಿಸಿಪಲ್ ಕೌನ್ಸಿಲಿನ ಆಡಳಿತಕ್ಕೆ ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ಕುಂದಕವುಂಟಾಗಿದೆ ಆದಕಾರಣ, ಉಪ ನಿಬಂಧನೆಗಳನ್ನು (ಬೈಲಾಗಳನ್ನು) ರಚಿಸುವ ವಿಚಾರದಲ್ಲಿ ಮೈನರ್ ಮುನಿಸಿಪಲ್ ಸಭೆಗಳಿಗಿರುವ ಅಧಿಕಾರವನ್ನು ಅವುಗಳಿಗೆ ತಪ್ಪಿಸುವುದು ಅವಶ್ಯಕವೆಂಬುದಾಗಿ ಭಾವಿಸಲಾಗಿದೆ ಅಲ್ಲದೆ, ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಸಮಸ್ತ ವಿಷಯಗಳನ್ನೂ ಕ್ರಮಪಡಿಸುವುದಕ್ಕಾಗಿ ನಿಬಂಧನೆಗಳನ್ನು ರಚಿಸುವುದಕ್ಕೂ, ಮೈನರ್ ಮುನಿಸಿಪಾಲಿಟಿಗಳವರು ಆ ನಿಬಂಧನೆಗಳನ್ನು ಮೀರಿ ನಡೆದರೆ ಅದಕ್ಕೆ ದಂಡನೆಯನ್ನು ವಿಧಿಸುವುದಕ್ಕೂ ಬೇಕಾದ ಅಧಿಕಾರವನ್ನು ಸರ್ಕಾರದವರಲ್ಲಿಯೆ ಇಟ್ಟುಕೊಳ್ಳುವುದು ಆವಶ್ಯಕವೆಂಬುದಾಗಿಯೂ ಭಾವಿಸಲಾಗಿದ ಈ ಭಾಗದಲ್ಲಿ ತಕ್ಕ ನಿಬಂಧನೆಗಳನ್ನು ರಚಿಸಲಾಗಿದೆ

7 ಮುನಿಸಿಪಲ್ ಸಭೆಯ ಸದಸ್ಯರನ್ನು ಅಧಿಕಾರದಿಂದ ತೆಗೆಯುವ ವಿಚಾರ

ಮುನಿಸಿಪಾಲಿಟಿಗೆ ತೆರಿಗೆಗಳನ್ನು ಪಾವತಿ ಮಾಡುವ ಜನರು ಮುನಿಸಿಪಾಲಿಟಿಯ ಆಡಳಿತದ ವಿಚಾರವಾಗಿ ತರತಕ್ಕ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಸರ್ಕಾರದವರು ಪರಿಶೀಲಿಸಿ ವಿಚಾರಣೆ ಮಾಡುವುದಕ್ಕೂ ಆವಶ್ಯಕವಾಗಿ ಕಂಡು ಬಂದ ಸಂದರ್ಭಗಳಲ್ಲಿ ಸದಸ್ಯರನ್ನು ಕೆಲಸದಿಂದ ವಜಾ ಮಾಡುವುದಕ್ಕೂ ತಕ್ಕ ನಿಯಮಗಳನ್ನು ಏರ್ಪಡಿಸಿದೆ

ಪಿ ಮಹದೇವಯ್ಯ,

ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆಯ "ಎಕ್ಸ್ ಆಫಿಷಿಯೋ" ಸೆಕ್ರೆಟರಿ

WD 2360—GPB—500—17 5 31

GENERAL PRINCIPLES OF THE DRAFT MINOR MUNICIPALITIES BILL AND THE BILL FURTHER TO AMEND THE MYSORE MUNICIPAL REGULATION.

When the Bill further to amend the Mysore Municipal Regulation, since passed as Regulation VIII of 1927, was introduced into the Legislative Council in December 1926, it was suggested by some non-official members that a special committee might be appointed to examine the provisions of the Mysore Municipal Regulation and suggest improvements. This suggestion was accepted by Government. Government considered that the deliberations of the committee to be appointed for considering the improvements would be facilitated if a Bill to amend the Regulation were framed and placed before them. Accordingly a Bill to amend the existing Municipal Regulation was prepared and the present Municipal Regulation being found to be too complex to meet the simple requirements of the small municipalities, a draft Minor Municipalities Bill was also prepared for regulating the affairs of Minor Municipalities. A Committee was constituted in Government Order No.L.4899-4907/M1. 91-27-8 dated the 24th February 1928 for consideration of --- these Bills. The Committee examined the Bills at several sittings and they agreed with the suggestion that there should be a separate Regulation for Minor Municipalities and that the application of the existing Municipal Regulation may be restricted to Town and City Municipalities only. The Committee have taken the opportunity of introducing into the Bills provisions which experience has shown to be necessary or which, in view of the development of the Municipal Administration in recent years in British India and elsewhere, it is considered expedient to adopt in our State. As far as possible the provisions in the Minor Municipalities Bill conform to those in the present Regulation and in the other Bill except when a change is considered specially necessary. Before Legis-

GENERAL PRINCIPLES OF THE DRAFT MINOR MUNICIPALITIES BILL AND THE BILL FURTHER TO AMEND THE MYSORE MUNICIPAL REGULATION.

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Legislation is undertaken to give effect to the recommendations of the Committee as embodied in the Bills Government desire to place the main changes recommended by the Committee before the Representative Assembly for their views.

~~CHIEF OFFICERS~~

I. Bill further to amend the Mysore Municipal Regulation. The main cnanges introduced into the existing Regulation are the following:-

(1) CHIEF OFFICERS.

Under the present Regulation the executive administration is centred in the Municipal Council, except where a Chief Officer or a Commissinner has been appointed. The Municipal Council or the Committees in larger Municipalities can do little more than determine questions of policy and the Government officers, who are ex-officio Presidents in the majority of these Municipalities, cannot be expected to devote very large attention to Municipal matters. It is therefore necessary to have a permanent staff in these Municipalities to attend to the executive functions and to define with greater clearness the powers of the Executive and to secure proper supervision and control by the appointment of a responsbile executive officer, with clearly defined statutory powers. The appointment of the Chief Officer is, therefore, made compulsory except when for special reasons Government consider it necessary to dispense with the appointment and the executive power generally vests in him. His powers are also proposed to be enhanced by allowing him to exercise the powers of the Municipal Council under Sections 68 B, 70 (1a) and (2) 76, 79 (3), (4) and (5) 81 A (2) proviso, 82, to 84, 84 B, 86 A (2) 95, 96 A 97, 99, 117, 120, 126 A, 131 A (2) 136, 139 (2), 154 and 155, appeals being allowed to the Municipal Council from the orders of the Chief Officer.

(2) MINIMUM POPULATION.

The minimum population for constitution of the Municipa-

-- Municipal Councils

Municipalities under the Regulation is raised from 2,000 to 5,000 as the Regulation will not be applicable to smaller Municipalities.

(3) Elected Element on Municipal Councils.

The minimum strength of the elected element on the Municipal Councils is raised from one-half to two-thirds of the total strength.

(4) Qualifications of voters and candidates.

The qualifications for voters and candidates have been specified in certain cases in the Regulation and the qualifications in other cases are regulated by rules framed by Government. It is decided to leave the qualifications of voters and candidates to be regulated by rules framed by Government and to delete Sections 12 and 21 of the Regulation.

(5) Publication of Election Roll.

It is considered unnecessary to annually revised the Municipal Election Roll and publish it every year. It is sufficient if the Municipal Election Roll is prepared only once in three years and opportunity is afforded to persons newly qualified to have their names enrolled at any time within one month preceding the date fixed for an election.

(6) Disqualification to be Councillors to cease automatically.

Under Section 15 (1) of the Municipal Regulation, the disqualifications in certain cases will continue to operate unless an order to the contrary is passed by Government. It is decided to automatically terminate the disqualifications after the lapse of a definite period as in the case of District Board members and to bring the disqualifications into line with the provisions in the District Boards' Regulation.

(7) Removal of Councillors.

It is considered necessary to afford opportunity to Councillors to explain at an enquiry before removing them from office.

(8) Election Disputes.

In order to obviate vexatious complaints in regard to municipal elections, it is considered necessary to prescribe that the validity of Municipal elections should be disputed by a candidate who stood for election or by at least 10 persons qualified to vote at the election and that a deposit should accompany the application as in the case of elections to the District Boards. Provision is also made for appeals on points of law to the High Court from the orders of District Judge in election disputes. Section 22 is also made applicable to the election of Presidents by the general body voters. It is also considered necessary to debar Civil suits in regard to matters relating to appointment or removal of Councillors, Presidents or Vice-Presidents except where they are specially provided for.

(9) Election of Presidents and Vice-Presidents.

It is decided to leave appointment of Vice President to the discretion of the Municipal Council instead of that of the Government. Salaried servants of Government are --- specifically made ineligible for election as Presidents and Vice Presidents. The term of Presidents and Vice Presidents elected by the Municipal Council which is now co-terminous with the term of the incumbents as Municipal Councillors is limited to one year.

(10.) Vacation of seats by Presidents and Vice-Presidents.

There is no provision in the present Regulation for the automatic vacation of office by Presidents and Vice-Presidents.

Vice-Presidents. It is proposed to provide for such vacation-

(1) forthwith when a resolution to that effect is passed by a majority of not less than two-thirds of the whole number of councillors, and

(2) after passing of a second resolution to that effect when a resolution to that affect is passed but not by a majority of not less than two-thirds.

(11.) Executive Powers.

In view of the appointment of an executive officer generally for all Municipalities governed by the Regulation, it is not necessary to invest the President with executive functions generally. To meet the cases of Municipalities where there is neither a Chief Officer nor a Municipal Commissioner, it is considered necessary to empower the Presidents to exercised by the Municipal Commissioner in City Municipalities and the Chief Officer in other Municipalities.

In cases in which the Deputy Commissioner, Amildar or Deputy Amildar is an ex-officio President of the Municipal Council, it is considered necessary to authorise the Vice President to exercise the powers of the President when the latter is absent, notwithstanding the provisons contained in Sections 9 and 13 of the Land Revenue Code. The duties of the Vice-Presidents are not at present uniform in all the Municipalities. It is proposed to take power to Government to define more definitely the powers of the Vice-President.

(12.) Meetings of Municipal Councils.

Complaints have reached Government of undue delay in summoning special meetings duly requisitioned. Power is therefore given to the Vice-President or at least one-third of the whole number of Councillors to call a special meeting if the President does not call the meeting for a date not more than 15 days after the presentation of the requisition. The quorum of one-half for meetings of Town and Minor Municipal Councils

Councils is large and it is necessary to prescribe a uniform quorum of one-third for meetings of both City and Town Municipal Councils. Certain officers of Government specified in Section 26 (14) (a) of the Regulation have alone the right to attend the meetings of Municipal Councils. Power is taken to Government to allow any officer notified by Government in this to attend meetings of Municipal Councils.

(13.) Contracts.

It is necessary to require Municipal Councils to invite tenders for supply of materials for execution of works when the value exceeds Rs.1,000/- and to obtain sanction of Government to the acceptance of tenders when the cost exceeds Rs.10,000/- The powers of Municipal Councils in respect of purchase and sale of movable property and in respect of the transfer of --- immovable property is too low and they are proposed to be raised to Rs.2,000/- in City and Town Municipal Councils and Rs.1,000/- in the case of other Municipal Councils. Municipal Councillors and Presidents are now personally liable for misapplication of the Municipal Fund. It is necessary to make them liable also for loss or ~~waste~~ waste of Municipal money or property caused by their negligence or misconduct.

(14.) Liabilities of Councillors.

Essential servants of Municipal Council such as sweepers etc are not now required to give any notice before resigning their offices. With a view to prevent sudden strikes and dislocation of municipal work, it is considered expedient to require a --- month's notice and to make the omission so to give the notice penal.

(15.) Rules and Bye-laws.

There is no provision in the Regulation to make rules for authorising payment of compassinate gratuity to surviving relations of Municipal employees. Necessary provision is made so that the Municipal employees may have the same benefit as Government employees in this respect.

In order to secure uniformity in regard to levy of taxe by Municipal Councils and other matters incidental thereto. i is necessary to take power to Government/frame rules in the matter. Provision is also necessary for numbering and registration of all vehicles liable to Municipal taxation, for fixing terminal tax limits and taking measures for regulating the - - management of public parks and open spaces vested in the Municipal Council.

(17) Functions of Municipal Councils.

The list of discretionary duties require amplification and provision is made for inclusion of the following duties:-

(a) Promotion of Co-operative Societies for the benefit of Municipal employees and of societies whose - objects include housing the poorer and working - classes.

(b) Provision of telephone service, transport facilities for the public and supply of electricity for - - lighting and power for public and private pur- - poses.

(c) Maintenance of ambulance service.

(d) Anti-rabic treatment.

(18) Municipal Taxes.

The maximum rates of taxes are specified in the body of the Regulation in some cases and in the schedules in other - - cases. To secure uniformity the maximum rates of taxes may be ~~are~~ - fixed in the schedules only. The existing maximum rates of - tax leviable on motor vehicles are not adequate. The rates on motor buses and lorries is raised to Rs. 60/- while that on motor cars of 15 cwts. and more is enhanced to Rs. 40/- a year. The maximum rates of toll are made identical with those levi- - able on State Roads and the levy of toll on animals is discontinued. Provision is also made for the levy of terminal tax - when octroi is not levied. Power is also taken to Government

to grant and define by order exemptions from payment of tolls and other taxes in exceptional cases in addition to those - - given in the Regulation or provided for by the Municipal Councils in the rules. It is also considered desirable to entrust the assessment of buildings and lands in Municipalities in each District to a Government Officer of the rank of an Amildar and to appoint for this purpose an Assessor for each District who will also conduct the revenue audit of Municipalities. Ab- - sence of specific provision for composition of tolls is causing a great deal of inconvenience. Provision is therefore made for composition of tolls and also of octroi in order to minimise the inconvenience incidental to the levy of the duty. To facilitate collection of taxes, power is given to Municipal Councils to recover arrears of taxes by attachment and sale of immoveable property of defaulters, subject to the prior right of Government in respect of land revenue.

Decisions of Magistrates on appeals against notice of -- demand are not now subject to revision. Provision for appeals in these cases is therefore made.

(19.) Regulation of Streets and buildings.

No specific provision exists for Municipal Councils to temporarily close public streets for executing works. Necessary provision is made for this purpose and power is given to Municipal Councils to create facilities on such occasions to the people concernedd and pay compensation to persons sustaining special damages by such works.

In regard to buildings, Municipal Councils are given - - power to impose without any special authorisation by the Government conditions as to materials, dimensions and cubical - - contents of the rooms, doors and windows and to the number of - storeys to be erected or the purposes for which the building is to be used. There is at prdsent no limit as to the period for which the right to build by giving a notice accrues and it is --

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decided to limit it to one year. It is also desirable to require owners to give notice to the Municipal Council before completion of the building and occupy it after affording facility to the Municipal Council for inspection of the building. This provision will be enforced in only such of the Municipalities as are notified by Government in this behalf.

(20) Sanitary matters.

It is necessary to give power to the Municipal Councils -

(i) to prohibit the use of a building or room which is unfit for human habitation and the cultivation of certain crops, and

(ii) to deal with collections of water which are likely to be breeding places of mosquoties and to regulate the construction of tanks or ponds.

Provision is also made for prevention of nuisances from quarries and cart stands by including them under offensive trades.

(21) Audit of Accounts.

Audit of the Municipal Accounts by a Government Auditor is made compulsory and power is given to the Deputy Commissioners to surcharge on the report of the Auditor the persons responsible for deficiency or loss incurred by their negligence or misconduct.

(22) Powers in regard to control

There is no specific provision for inspection of City Municipal Offices. Power to inspect these offices is given to the Deputy Commissioners when so authorised by Government. Power is taken to Government to annul or amend any proceeding or resolution of Municipal Councils or their executive which is not in conformity with law or orders in force. Government Officers who take lawful action on behalf of or in default of

II. MINOR MUNICIPALITIES BILL.

It is already stated that the main object of the Bill is to provide a simple Regulation to suit the requirements of smaller Municipalities in the State. Minor Municipalities do not require elaborate provisions and the provisions to be made may be limited to what are really essential, the remaining provisions being regulated by rules which the Government may prescribe. A separate Bill has, therefore, been prepared for Minor Municipalities keeping these principles

The most important changes introduced by the Bill are the following:---

(1) Constitution of Minor Municipalities.

The minimum population for constituting an area as a Minor Municipality is fixed at 3,000.

(2) Elections

Provision has been made for adult suffrage subject to the condition that in order to be qualified to be a voter, one should have resided in the Municipality for a period of not less than six months prior to the date of election. Munsiffs have been empowered to decide election petitions, appeals being allowed to the Chief Court from the order of the Munsiff only on a point of law

(3) Executive Officer and President

The finances of small Municipalities do not admit of the appointment of an executive officer for efficiently carrying out the executive functions. The executive powers in these Municipalities will, therefore, continue to vest in a President and it is necessary that he should be responsible to the Government for the fulfilment of the purposes of the Regulation. In order to enable him to carry out his functions without undue interference, the President has been invested with certain powers independent of the Municipal Council and appeals are allowed to the Municipal Council from his orders.

The policy in regard to election and appointment of Presidents and Vice-Presidents is left as heretofore. But the appointment of

the Vice-President is left to the discretion of the Municipal Council. Presidents and Vice-Presidents are also required to vacate their offices automatically when resolutions are passed to that effect. When the resolution is passed by a majority of not less than two-thirds of the whole number of councillors the seat will be vacated at once; but if the resolution is passed, but not by a majority of not less than two-thirds the place will be vacated if another resolution for the reval of the same President or Vice-President is passed after an interval of not less than one month.

When the President or Vice-President is elected by the Municipal Council he will hold office for such period as may be fixed by the Municipal Council and in other cases the term will be co-terminous with or be the residue of his term as Councillor. In order that the non-Official Presidents may exercise their executive powers with freedom, the Amildar has not been invested with any powers of interference and in order to provide for prompt remedial measures when emergencies require, the Assistant Commissioner of the taluk in which the Municipality is situated is given wide powers as regards inspection, supervision and control.

(4) Taxation.

Minor Municipal Councils are at present required to impose taxes at a uniform rate throughout the State. Town and City Municipal Councils have power to fix and vary the rates of taxes according to their requirements and for this purpose they have to frame rules which take effect only on sanction of Government being obtained thereto. Village Panchayets have power to fix the rates of taxes subject to the maxima prescribed by the Government. The power to fix the rates within the maximum approved by the Government and to vary the rates from time to time as may be deemed expedient, is given to the Municipal Councils in the present Bill. In order, however, that the rates may not be fixed unduly low, power has been reserved to the Government to require the Municipal Councils to increase the income by imposing any new tax or enhancing the rates of existing taxes.

Power has also been taken to Government to appoint for each District an Assessor for assessing taxes imposed in the form of a rate on - - buildings and lands. The Assessor will also conduct the Revenue -- Audit of the Municipalities in the District.

(5) Surcharge

Power is given to the Deputy Commissioner of the District to surcharge on the report of the Auditor, the President, Councillors, officers and servants for loss, waste or misapplication of the Municipal Fund. This provision is necessary in order to safeguard the interests of the inhabitants of the Municipality.

(6) Rules.

Though the existing Municipal Regulation gives power to the Minor Municipal Councils to frame bye-laws, many Municipal Councils have not framed bye-laws and the administration of Minor Municipal Councils has to some extent been hampered by the absence of bye-laws. It has been considered expedient to take away from the Minor Municipal Councils the power to frame bye-laws and to retain in the hands of Government the power to make rules to regulate all matters con- - cerning Minor Municipalities and to prescribe punishments for violation of rules.

(7) Dissolution of Municipal Council

Provision has been made for investigation by Government of - - complaints from rate-payers against Municipal Administration and - dissolution of the Municipal Council in cases of necessity.

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Explanatory note on the general principles of the Municipal Bills.

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1. CHIEF OFFICERS:- The enhancement of of the Chief Officers ~~is~~ relates to the following Sections:-

Section 68 (b) Power to require production of instrument of transfer of immovable property by persons liable to give notice of such transfer to the Council.

Section 70 (a) This is newly added by the Bill and relates to the recovery of fees from persons unauthorised use of unicipal land.

Section 70 (2) Charging of fees prescribed by bye-laws for the use of markets and other places belonging to the 'unicipal Council.

Section 76 (1) Authorising Municipal Officers to require persons bringing dutiable articles to inspect, examine and weigh and otnerwise deal with the articles and communicate to him

any information and exhibt to him any Bill or document which ~~he~~ may posses relating to the ~~A~~rticle~~s~~, a n d

(ii) Authorising Officers to demand that persons importing dutiable articles should permit them to inspect contents, any conveyance or packages ~~to~~ for ascertaining whether ~~they~~ contain dutiable Articles.

Section 79 (3) Power to release property ~~ceazed~~ seized for nonpayment of Octroi or Toll.

Section 79 (4). Power to sell property ~~ceazed~~ seized.

Section 79 (5) Power to receive applications for refund of surplus ~~and~~ sale proceeds of articles ~~ceazed~~ seized for non-payment of octroi or toll.

Section 81 (a2) Power to order sale of articles distrained by lessees of right to collect tolls.

Section 82. Power to cause bills to be presented for Municipal dues and notices o demand to be served.

Section 83. Power to issue warrant.

Section 84. Power to order sale of distrained goods or property attached.

Section 84 (b) Power to cause bill to be presented for sums due or about to become due if the person liable to pay is about to remove from the Municipality.

Section 86 (2) This has been since renumbered as 86 (3) and relates to the power to give effect to the decision of Magistrates or Bench of Magistrates on revision applications in respect of notices of demand.

Section 95. Power to approve of places into which drainage of Buildings may be led.

Section 96 (a). Powers to receive notices of Buildings almost to be completed and to inspect the same.

Section 97. Power to regulate huts.

Section 99. Power to control drains privies etc.,

Section 117. Power to permit posting of bills etc., on Municipal Buildings

buildings and other properties.

Section 120. Power to require owners to keep sources of water supply in good repair and clean sources of water supply.

Section 126 (a). Power to direct that dogs while in streets and not being led by some person should be muzzled and power to take possession of dogs found wandering unmuzzeled.

Section 131 (1)(2). This section has been newly introduced by the Bill and relates to powers in respect of prohibiting the use of Buildings and rooms which are unfit for human habitation for dwelling purposes. ~~and refer~~ by reference to under item (19) in the statement of General principles.

Section 136. Power to permit storing or using night soil or other offensive substance manure

Section 139-(3) Power to apply to Magistrate to prevent use of places for purposes --- requiring licenses under the Section.

Section 154. Power to authorise persons to present bills and serve notices.

Section 155. Power to give permissions under the Regulation.

Of the powers specified above those under the following Sections are now exercised by the Municipal Commissioners in City Municipalities:-

76, 79(3), (4) & (5), 82 to 84, 95, 97, 99, 120, 136 139 (3), 154 and 155.

Powers of Municipal Commissioners.

The Municipal Commissioner exercises under Section 186 (G) all the powers specifically conferred on the Chief Officer and exercises also --- powers specifically mentioned in the Section as amended by the Bill.

As larger powers have been conferred on Chief Officers as already detailed above the Section has been modified by omitting them and the additional powers conferred on the Municipal Commissioner relates to those under Sections 160 (2) & 161 (2).

Section 160 (2) is a new Section introduced by the Bill and runs as follows:-

If a dispute arises with respect to any costs or expenses which are by this Regulation directed to be paid, the amount and if necessary the

the apportionment of the same, shall, ~~xx~~ save when it is otherwise expressly provided in this Regulation, be ascertained and determined by the Municipal Council and shall be recoverable in the same manner as an amount --- claimed on account of any tax recoverable under Chapter VIII.

Section 161 (Q) relates to the powers ~~of~~ of the Municipal Council to compound offences under the Municipal Regulation.

CONSTITUTION OF MINOR MUNICIPALITIES.

Though the minimum papulatio n for constituting an area as a minor Municipality is fixed at 3,000 it is provided in the Bill that unless the Government otherwise direct all permanent Municipalities constituted under the Municipal Regulation of 1916 with a papulation of less than 5,000 according to the Census of 1921 shall be Minor Municipalities and that the Government may at any time after --- consulting the Municipal Council concerned and considering objection if any, declare by Notification in the Gazette, that any Municipality

constituted under the Regulation of 1906 shall with effect from a date ~~xf~~ to be specified in the declaration be deemed to be a Municipality constituted under the Minor Municipalities Regulation.

It is perhaps desirable to explain this at length to allay any fears ~~so that~~ in order to obiviate objections that may be forthcoming.

The following 7 Municipalities had a papulation of less than 5,000 according to the -- Censes of 1901:-

	Municipality.	Papulation.
1.	Hunsur.	4,463
2.	Arsikere.	4,723
3.	Shikarpur.	4,366
4.	Sagar.	4,987
5.	Birur.	4,207
6.	~~kkxxx~~.Tiptur.	4,311
7.	Sidlaghatta.	3,697

Investing the President of the Minor Municipalities with powers indipendent of the Municipal Council. These powers are specified in Clauses 22, 27, 53 (1), 62, 64, 64 (a), 65 and 67 of the Bill. They are noted below for ~~fxxx~~ facility of reference.

Clause
Section 22. Summoning persons to give evidence

evidence or produce documents in respect of questions relating to taxation or grant of licenses.

Section 27.- Power to compound or compromise ~~of~~ suits and to make compensation to persons sustaining damage.

Section 53 (1). Power to compound ~~for~~ payment of toll.

Section 62. Power to close streets.

Section 64. Power to permit putting up of ~~put up~~ open varandahs and other projections and to remove projections.

Section 64 A. Power to remove obstructions or encrouchments.

Section 65. Power to require buildings to be used as warehouses for storage of grain to be made ~~sa~~ fireproof.

Section 67. Power to issue notice to --- keep lands and buildings clean or in a proper state

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Section 76 (1) Authorising Municipal Officer to require persons bringing dutiable articles to inspect, examine and weigh and otnerwise deal with the articles and communicate to him any

Mr. Chairman and Gentlemen

(1) I wish to submit to the Committee the following amendments

(2) Clause one, page 4, line 10 by inserting after the word "Provincial" the words "Legislature or"

(3) Clause three, page 4, line 20 by striking out the words "Provincial Parliament" and substituting therefor the words "Legislature or Parliament"

(4) Clause six, page 5, line 1 by striking out the words "Provincial Parliament" and substituting therefor the words "Legislature or Parliament"

(5) Clause seven, page 5, line 10 by striking out the words "Provincial Parliament" and substituting therefor the words "Legislature or Parliament"

(6) Clause eight, page 5, line 20 by striking out the words "Provincial Parliament" and substituting therefor the words "Legislature or Parliament"

Mr. Chairman and Gentlemen

(1) I wish to submit to the Committee the following amendments to the Provincial Elections Act

(2) Clause 12 of the Act is amended by striking out the words "Provincial Parliament" and substituting therefor the words "Legislature or Parliament"

any information and exhibit to him any Bill or document which he may possess relating to the Articles, and

(ii) Authorising Officers to demand that persons importing dutiable articles should permit them to inspect contents, any conveyance or packages for ascertaining whether they contain dutiable Articles.

Section 79 (3) Power to release property seized for nonpayment of Octroi or Toll.

Section 79 (4). Power to sell property seized.

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Section 96 (a). Powers to receive notices of Buildings about to be completed and to inspect the same.

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Section 120. Power to require owners to keep sources of water supply in good repair and clean sources of water supply.

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Powers of Municipal Commissioners.

The Municipal Commissioner exercises under Section 186 (G) all the powers specifically conferred on the Chief Officer and exercises also --- powers specifically mentioned in the Section as amended by the Bill.

As larger powers have been conferred on Chief Officers as already detailed above the Section has been modified by omitting them and the additional powers conferred on the Municipal Commissioner relates to those under Sections 160 (A) & 161 (A).

Section 160 (A) is a new Section introduced by the Bill and runs as follows:-

If a dispute arises with respect to any costs or expenses which are by this Regulation directed to be paid, the amount and if necessary the

the apportionment of the same, shall, xx save when it is otherwise expressly provided in this Regulation, be ascertained and determined by the Municipal Council and shall be recoverable in the same manner as an amount --- claimed on account of any tax recoverable under Chapter VIII.

Section 161 (a) relates to the powers of the Municipal Council to compound offences under the Municipal Regulation.

CONSTITUTION OF MINOR MUNICIPALITIES.

Though the minimum papulatio n for constituting an area as a minor Municipality is fixed at 3,000 it is provided in the Bill that unless the Government otherwise direct all permanent Municipalities constituted under the Municipal Regulation of 1916 with a papulation of less than 5,000 according to the Census of 1921 shall be Minor Municipalities and that the Government may at any time after --- consulting the Municipal Council concerned and considering objection if any declare by Notification in the Gazette that any Municipality

constituted under the Regulation of 1946 shall with effect from a date ~~of~~ to be specified in the declaration be deemed to be a Municipality constituted under the Minor Municipalities Regulation.

It is perhaps desirable to explain this at length to allay any fears ~~so that~~ in order to obviate objections that may be forthcoming.

The following 7 Municipalities had a papulation of less than 5,000 according to the -- Cens s of 1901:-

	Municipality.	Papulation.
1.	Hunsur.	4,463
2.	Arsikere.	4,723
3.	Shikarpur.	4,366
4.	Sagar.	4,987
5.	Birur.	4,207
6.	~~xxxxx~~.Tiptur.	4,311
7.	Sidlaghatta.	3,697

Investing the President of the Minor Municipalities with powers indipendent of the Municipal Council. These powers are specified in Clauses 22, 27, 53 (1) 62, 64, 64 (a) 65 and 67 of the Bill. They are noted below for ~~xxxx~~ facility of reference.

Section 22. Summoning persons to give evidence

evidence or produce documents in respect of questions relating to taxation or grant of licenses.

Section 27.- Power to compound or compromise ~~of~~ suits and to make compensation to persons sustaining damage.

Section 53 (1). Power to compound ~~for~~ payment of toll.

Section 62. Power to close streets.

Section 64. Power to ~~put up~~ permit putting up open verandahs and other projections and to remove projections.

Section 64 A. Power to remove obstructions or encrouchments.

Section 65. Power to require buildings to be used as warehouses for storage of grain to be made ~~use~~ [illegible]

Section 67. Power to issue notice to --- keep lands and buildings clean or in a proper State.

Mul 216-30
Ser 8.

PROCEEDINGS OF THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE.

R e a d.-

R 1. Government Order No. L.4899-4907/Ml. 91-27-8 dated the 24th February 1928 appointing a committee to consider the draft Municipalities Bill and the Bill further to amend the Mysore Municipal Regulation.

P 2. Letter No. 8545/Ml.91-27-22 dated the 28th May 1928 from the Secretary to the Municipal Regulation Amendment Committee submitting the first report of the Committee together with the draft Minor Municipalities Bill as revised by the Committee.

Date 16-5-31
Signed by M.V.S. Sastry
P.C.

3. Letter No. 8468/Ml.216-30-5 dated the 14th March 1931 from the same officer submitting the second and final report of the Committee together with the copy of the Bill further to amend the Mysore Municipal Regulation as finally approved by them.

ORDER No. L. 9250 - 61
Bangalore, dated the 16th May 1931.

When the bill further to amend the Mysore Municipal Regulation since passed as Regulation VIII of 1927 was introduced into the Legislative Council in December 1926 it was suggested by some Non-Official Members that a special committee might be appointed to examine the provisions of the Mysore Municipal Regulation and suggest improvements. These suggestions

were accepted by the Government. Government considered that the deliberations of the Committee to be appointed for the purpose would be facilitated if a bill to amend the Regulation were framed and placed before them. Accordingly a bill to amend the existing Municipal Regulation was prepared in the Secretariat. The present Regulation being found to be too complex to meet the simple requirements of the smaller Municipalities a draft Minor Municipalities Bill was also prepared for regulating the affairs of Minor Municipalities.

1. Mr. B. Nagappa, ~~Esq.~~, Bar-at-law.
2. N. Madhava Rao, ~~Esq.~~, B.A., B.L., Chief Secretary to Govt.
3. K. V. Anantaraman, ~~Esq.~~, B.A., Deputy Commissioner.
4. Khan Bahadur Mahomed Abbas Khan,
5. Rao Bahadur N. S. Nanjundaiya.
6. ~~Mr.~~ B. Narasinga Rao,
7. Mr. L. Vema Reddi, ~~Esq.~~,

2. ~~The~~ Committee consisting of the marginally noted gentlemen as members with the Member of Council in charge of the Local Self-Government portfolio as President and the Assistant Secretary to Government in charge of the Local Self-Government Branch as Secretary was accordingly appointed in February 1928 for the consideration of these Bills In April 1928 Mr. Srinivasachar, Kolar and Rai Saheb A. Thangavelu Mudaliar and in January 1929 Messrs. C. Raganatha Rao Sahib and P. Mahadevayya were appointed as additional members of the Committe

3. The Committee examined the Bills at several sittings and they consider that there should be a separate Regulation for Minor Municipalities and that the application of the existing Municipal Regulation may be restrict to Town and City Municipalities only. Provisions which experience has shown to be necessary or which in view of the development of Municipal administration in recent years in Briti India and elsewhere it is considered expedien

to adopt in the State have been introduced into the Bills, and as far as possible the provisions in the Minor Municipalities Bill are made to conform to those in the present Regulation and in the other Bills except when a change is considered specially necessary. The general principles of the Bills will be placed before the Representative Assembly and action taken to introduce the Bills into the Legislative Council.

4. The Committee consider that it is necessary to prescribe a uniform procedure for the levy of tolls and they recommend that a Tolls Regulation be enacted to regulate the levy of tolls by Government and Local Bodies. Necessary action will be taken in the matter after receipt of the proposals of the Committee appointed in Government Order No. L.8321-9/L.B. 153-30-1 dated the 8th April 1931 to consider the abolition of tolls in the State.

5. The thanks of the Government are due t the Chairmen and Members of the Committee for their ungrudging labours in connection with th revision of the Bills and Government wish to record their appreciation of the good work rendered by Mr. T. K. Someswara Iyer, B.A., B.L., Assistant Secretary to Government and Mr. D. Sitharamiah, B.A., Superintendent, L.S.G. Branch, in getting through the work of the Committee and the keen interest they have evinced in the work entrusted to them.

GENERAL SECRETARY TO GOVERNMENT

P.T.O.

To

Rajamantrapravina C. S. Balasundaram Iyer, Esq., B.A., Member of Council.
Rajasabhabhushana K. Chandy, Esq., B.A., Retired Member of Council.

Mr B. Nagappa, ~~Esq.~~, Bar-at-law.

Mr N. Madhava Rao, ~~Esq.~~, B.A., B.L., Chief Secretary to Government.

" D Mahadevappa, B A, B L,

" K. V. Anantaraman, ~~Esq.~~, B.A., Deputy Commissioner, Bangalore District.

" C Ranganatha Rao Sahib, ~~Esq.~~,

Khan Bahadur Mahomed Abbas Khan.

Rao Bahadur N. S. Nanjundaiya.

Mr B. Narasinga Rao, ~~Esq.~~,

" L. Vema Reddi, ~~Esq.~~,

" T. Srinivasachar, ~~Esq.~~,

" Rai Saheb A. Thangavelu Mudaliar, Esq.,

" J K Someswara ~~Esq.~~